

Monopoly bar on bank bids

The Monopolies and Mergers Commission is reported to have rejected both of the £500m competing bids for the Royal Bank of Scotland, a confidential report still in the hands of Mr John Biffen, Trade Secretary, is believed to have ruled that a merger with either the Standard Chartered Bank or the Hongkong and Shanghai Banking Corporation would be against the public interest. Mr Biffen still has powers to overrule the commission report, which will be published officially this week.

No easy answer, Whitelaw says

Mr William Whitelaw has criticized Conservative suggestions for easy solutions on law and order. Complex crime could not be solved by slogans about capital and corporal punishment, he said. He also promised to produce an independent element into the investigation of serious complaints against police. Page 3

Pit loyalty may swing vote

Opinions expressed at National Union of Mineworkers' branch meetings in the Durham and Yorkshire areas discuss a reluctance to strike over the 24 per cent pay claim. But loyalty to the union could still produce the 55 per cent national majority required for strike action. Page 3

Dr Runcie ends visit to China

The Archbishop of Canterbury, Dr Robert Runcie, has left China after a three-day visit. Before flying to Hong Kong, he will rest before visiting Sri Lanka and returning home, he emphasized the church's role in building international bridges. Page 5

Tatchell test for peace pact

The review of the selection of Mr Peter Tatchell as prospective Labour candidate at Southwark, Bermondsey will test today the new peace agreement between the party and trade unions reached at Bishop's Stortford. Page 2

Power struggle in Albania

Mr Enver Hoxha, the Albanian leader, who is reported to be embroiled in a fierce power struggle after the alleged suicide of Mr Mehmet Shehu, his Prime Minister. Reports from Tirana claim that Mr Shehu was shot dead and President Hoxha injured during a political showdown. Page 5

Dearer canned beer likely

Prices of canned beer sold through supermarkets are expected to rise next month. Trade indications are that the increase will be at least 2p on a large can. Page 11

World Cup win

New Zealand qualified for the last of the 24 places in the World Cup football finals in Spain by beating China 2-1 in their Asia-Oceania play-off in Singapore. They will play in the final stages of the tournament for the first time. Page 14

Air crash fear

Tan Sri Chazali Shafie, the Malaysian Foreign Minister, is feared dead after his aircraft, which was also carrying two aides, crashed near Kuala Lumpur soon after leaving an air force base. Page 4

Nuclear doubt

The £1,300m nuclear power station under construction at Torness, East Lothian, is not needed, according to a former Commons select committee adviser. Page 11

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Blizzards put Welsh food supplies in danger

By Tim Jones, Craig Seton and Frances Gibb

As freezing temperatures gripped Britain again last night, Wales was almost isolated by snow and ice and the Welsh Office was urged to order the use of troops and tracked Army vehicles to help deliver supplies. The South-west was also badly affected, with many roads blocked. A new record low temperature of -26.1°C was recorded at Newport, Shropshire, where the Weather Centre said a temperature of -27.2°C was recorded at Braemar in Scotland on Saturday night, equalling the lowest recorded in Britain, also at Braemar on February 11, 1895.

The freezing temperatures served further to compact huge drifts blown across Welsh roads in 37 hours of continuous snow. The snow, the worst in memory in Wales, caused the collapse of some buildings, isolated cities and towns and small communities and towns and stranded thousands of people in mid-journey.

As temperatures dropped, snow ploughs and ice one arm mountain rescue teams worked to make people trapped on the M4 safe. Hundreds of schools in Wales will be closed for days and people have been warned that bread, milk and other supplies will not be available.

Train passengers stranded

From the air Wales resembled a pretty picture postcard but at ground level the snow lost its romance. Farmers working to exhaustion, feared that stock losses would be enormous, with thousands of sheep dying from hunger or exposure. RAF helicopters from Brandy Dyked and Valley in Anglesey worked throughout the day to take pregnant women and sick people to hospitals. Four other helicopters took electricity board engineers to South Pembrokeshire, where 10,000 people have been without supplies since Thursday.

One woman, Mrs Christine Smith, who was carried on a stretcher two miles through snowdrifts from her isolated cottage to a waiting helicopter, gave birth to twins at Macynallt Hospital.

Others were not so lucky. One farmer near Bala who went to care for his flock was found dead by neighbours three hours after he should have returned home.

500 men trapped in steel works

Five hundred men were still trapped last night at the Port Talbot steelworks, where they have been since Thursday when drifting snow cut off the plant. A further 100 have been stranded at the BSC works at Llanwern, since Friday. There is snow 3ft deep in the blast furnaces. Steel said the men had been working round the clock to keep the buildings and equipment safe. They had only had a few hours sleep in offices and canteens.

In Cardiff, blizzards made almost every street impassable and one of the city's most famous buildings, the Sophia Gardens Pavilion, was destroyed when its roof collapsed under the weight of snow. A large indoor bowling green suffered the same fate.

Powys, the largest county in Wales, was completely cut off, and in Mid and South Glamorgan more than 1,000 people were still lodged in emergency centres last night, their vehicles stuck in snow. Ploughs have made no progress in

Floods recede in the North

The RAC said: "Something like 200,000 miles of roads and motorways are extremely treacherous, with dozens of main roads blocked in places or only just passable. Some parts of South Wales and the West Country can only be described as a white hell. Drivers were urged not to attempt journeys unless their journeys were essential."

Two schoolboys who ran away from home Carl Taylor, aged 15, and Alan Wells, aged 16, turned up at Winkfield, Berkshire, 10 miles from their homes in Windsor. They were said to be exhausted after existing on tinned spaghetti and tea for three days in a tent and a hay loft.

The lower temperatures brought some relief to the flooded North, where the Ouse at York was back within its banks for the first time in five days. Hundreds of people in York spent the weekend drying out their homes and assessing damage.

Hillhead Liberals make way for Jenkins

By Our Political Staff

Mr Roy Jenkins, the former Labour Chancellor of the Exchequer, and now one of the joint leaders of the Social Democratic Party is to stand for the Liberal Alliance at the Hillhead, Glasgow, by-election. An official announcement will be made tonight.

The agreement between the two parties reached in Scotland on Saturday, was endorsed last night when Mr Charles Brodie, the Liberal prospective candidate for the constituency, and Mr Ken Wardrop, his constituency party chairman, met Mr Jenkins for two hours in his London home to discuss arrangements for the joint campaign.

There was no formal confirmation after the meeting but the two Scots came away from the meeting smiling and promising that a full statement would be made today after they had returned back to the constituency Liberal party.

Mr Brodie, aged 37, a computer firm executive, had already indicated that he was prepared to stand down to make way for Mr Jenkins if

Thatcher wants to be even tougher

By George Clark, Political Staff

The Prime Minister admitted by implication yesterday that she is being forced to modify her economic policy because she fears a Conservative backbench rebellion and possible defeat in the Commons.

That was not how she put it, in a BBC radio interview, but it was the only interpretation that could be placed on Mrs Thatcher's remarks.

She lauded the efforts of Chancellor Helmut Schmidt in West Germany. "He is even tougher on inflation than I am. I would like to be tougher," she said.

"He is even tougher on public spending cuts than I am. I would like to be tougher on public spending. But I have to do what I think we can get through Parliament. I would like to go faster, but I cannot go faster than Parliament and people will go."

While Mrs Thatcher was speaking, Sir Geoffrey Howe, Chancellor of the Exchequer, and the other Treasury ministers met their advisers at a secret rendezvous in the Home Counties to decide the general lines of budgetary policy for 1982-83.

One of the questions they had to decide was whether it will be possible to make any tax concessions in the Spring Budget. Their verdict will be discussed by the Cabinet later this month or early in February.

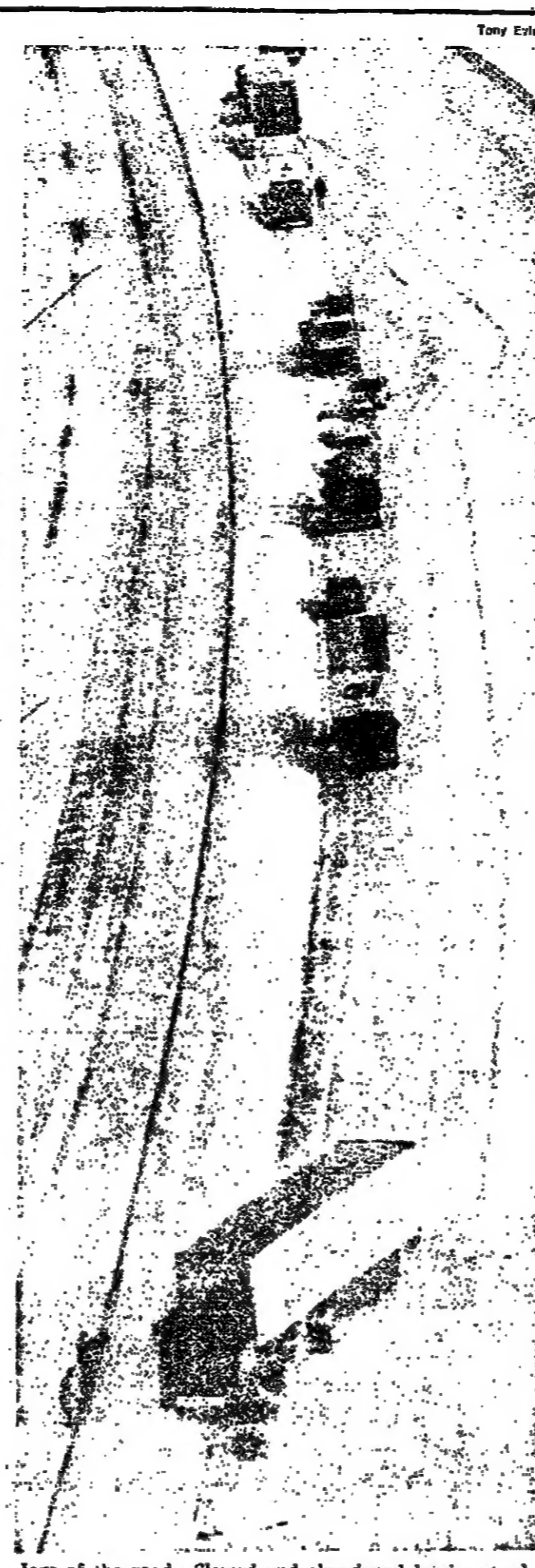
Mrs Thatcher was told by Mr

Mr Jenkins outside his London home yesterday

that offered the best prospect for the alliance winning the seat from the Conservatives. A meeting of the Hillhead Liberals on Saturday was attended by Mr Russell Johnston, MP for Inverclyde, and leader of the Scottish Liberals. Glasgow's Social Democrats had already made it abundantly plain that they wanted Mr Jenkins to stand for the alliance. He narrowly lost when he stood for the Labour-held seat at Warrington last year, but the Liberal and SDP party managers believe he has a chance of winning Hillhead, where the late Sir Thomas Galbraith had a majority of 2,002 at the general election.

Mr David Steel, the Liberal leader, left London on Saturday to give a lecture, then take a short holiday. Referring to the recent breakdown of negotiations between the Liberals and Social Democrats about the division of seats at the next general election, Mr Steel said: "I don't think you can carry out on a national basis, a construction of parties without having difficulties. But I think we have reached a closer understanding now."

Mr Steel named a team of



Jays of the road: Slew and abandoned lorries straggling the snow-covered M4 near Cardiff yesterday.

Polish regime eases censorship to improve its image abroad

From Roger Boyes, Warsaw, Jan 10

The Polish military authorities have decided to improve their image in the West by lifting censorship restrictions on foreign correspondents, restoring some domestic telephone links and giving telex lines back to some Western embassies.

The move comes at the start of a difficult and complicated week for the ruling Military Council and the Communist Party. Party sources expect a Central Committee meeting within the next few days to determine some policy directions and to decide the scope of the current purge of officials. Two first secretaries have been ousted in the past few days—Mr Tadeusz Fiszbach of Gdansk, who was toppled for having given too much ground to Solidarity, and Mr Andrzej Zabinski of Katowice, a hard-liner whose policy of confrontation with Solidarity has undermined party support.

Over the past seven days the Military Council, with increasing over-cautiousness, since a meeting this weekend of Archbishop Jozef Glemp with General Jaruzelski, has been chastening the conditions of internment, officially 5,000—will start to improve.

Last week Archbishop Glemp gave a stirring sermon in St John's Cathedral in Warsaw in which his description of a visit to a women's internment centre moved many of the congregation to tears and marked a new Church initiative to roll back martial law.

It is difficult to assess

whether the lifting of censorship fits into a wider trend of liberalization—the long awaited thaw after a month of rough military rule that resulted in at least eight deaths (official estimate) and the intervening without trial of thousands.

There are some tell-tale signs supporting the "thaw" thesis. Two tank divisions have withdrawn from northern and southern suburbs of the capital; soldiers are increasingly carrying their rifles on their backs rather than at the ready; scheduled overseas flights (though only with Lot, the state carrier) are expected to resume next week; and the black marketers and prostitutes are returning to the foyers of hotels, having disappeared on the night that martial law was declared.

However, it is still impossible to telephone from one city to another or visit relatives in other parts of the country without special permission. The roadblocks are still manned in the capital and the 14 to 5 curfew persists.

Most of the relaxation on communications and censorship is aimed at recapturing the ground lost in foreign policy terms over the past four weeks of military rule. In the absence of uncensored

news from Poland, rumours have filled the vacuum, projecting an unfavourable image largely shaped by travellers' reports of internment conditions. The evidence suggests that the Military Council was taken by surprise by the strength of the Western response to the military takeover and in over-violation of human rights and diplomatic were particularly incensed by breaches of the Vienna Convention which guarantees communications between embassies and their capitals.

What impact the move will have on foreign policy is difficult to gauge. The main obstacle to establishing normal working relations with Western countries is the way out of its economic crisis—the continuing internment of political critics. The government spokesman, Mr Jerzy Urban, said on Saturday that only one of the internees was likely to face trial, a former Solidarity leader, Mr Marian Jurczyk. Internment would end when martial law was lifted, he said. However, this is largely a question of definition of terms. If an internee is released after signing a pledge to "stop preceding anti-social activities" and then takes part in Solidarity activities, he could be re-arrested, charged and tried. Formerly he would no longer be an internee.

Still, the official picture of events is now more and more salving with the facts—the situation is indeed calm.

Fears for the future

From Michael Binayon, Moscow, Jan 10

With the arrival here today of Mr Jozef Czerwinski, the Polish Foreign Minister, Soviet leaders tomorrow begin the first publicly announced top level talks with the Polish Government since the imposition of martial law a month ago.

The talks coincide with the Nato meeting in Brussels, and follow the announcement in Warsaw this weekend that some of the martial law restrictions are to be eased. Both East and West are taking stock of the Polish situation and of relations with each other in the light of the crisis.

For the Russians, martial law, though putting a welcome and abrupt end to the slide into political chaos and "counter-revolution" has brought a double crisis: it has worsened the tense relations with the United States while producing an unexpected sharp response from Western Europe. And it has raised fundamental questions about the nature of communist power and the future of the Soviet Union's largest ally in the Warsaw Pact.

In the short term, the American reaction and the leeward blows of the careful Soviet attempts to woo Western Europe are the most immediate issue. The Russians have clearly been stung by the fierce condemnation by the European Community, and in spite of

early transatlantic disagreements, fear the Polish crisis will strengthen the Western alliance and rally the more dovish members to the American view.

The Russians know they may have to pay a high price for their role in encouraging, instigating and coordinating the mechanics of General Jaruzelski's coup, the Russians are far from happy with the results.

As Mr Alexander Borov, one of the most respected Soviet commentators, admitted in *Izvestia* this weekend, the emergency measures were "not a matter of choice between good and evil. Of the two evils it was necessary to choose the lesser."

The long-term questions include: What is the future of the Polish party? What is to be done with Solidarity? How many of the reforms enacted in the past 18 months are to be kept? How is Poland to achieve solvency? What can be done to ensure the same crisis does not erupt with renewed vigour when the troops return to barracks.

In spite of—and maybe because of—the growing influence of the military forces within the Soviet Union itself, the Soviet party leadership cannot but be alarmed by the virtual abolition of the Polish

President's brother shot in Iran

Continued on page 4, col 1

President's brother shot in Iran. The assassination attempt was the latest in a series of attacks against fundamentalist clergy members of Parliament in recent months. As usual, Tehran radio blamed "American agents" for yesterday's attack. This is generally a reference to leftist Muslim mujahedin guerrillas who, the Iranian Government claims, are supported by the United States.

Dorens of deputies have been killed over the past eight months, including more than 20 in one bomb blast last June. President Khomeini himself was wounded by a booby-trapped tape recorder in June as he addressed worshippers in a mosque.

Tehran evening newspapers said that the President's brother was travelling by car to the Majlis in the centre of the capital yesterday morning when gunmen opened fire from a building site.

Meanwhile, Hojatoleslam Mortaza Huseini, the newly appointed judge responsible for fighting "impious acts", announced yesterday that his tribunal would continue its struggle against "adultery, treason, homosexuality, gambling, abuse, hypocrisy, and sympathy for atheists and hypocrites". Impious acts requiring priority attention were "adultery, gambling, homosexuality and alcohol consumption", he said.

He added that women who did not take the veil would have to face the anger of God and the people. Reuters and AFP.

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NEWS IN SUMMARY

Keep law of blasphemy, Runcie says

The Archbishop of Canterbury, Dr Robert Runcie, has told the Law Commission that the law of blasphemy should be retained for the Christian religion and extended to cover other religions (Our Legal Correspondent writes).

In his response to the commission's working paper on blasphemy published last year, Dr Runcie says that the law was needed not because God or Christ needed protection. The object, he says, is to protect the fundamental sacred beliefs of all religious people from deep and hurtful attacks.

Dr Runcie accepts that there might be some difficulty in defining which religions should be protected, but does not see that as an insurmountable obstacle.

In preparing his response, which is the Church of England's official reply to the Law Commission's proposals, Dr Runcie was advised by the Bishop of London, Sir Norman Anderson, QC, and the Rev Keith Ward.

The commission had suggested that the law of blasphemy should be abolished and replaced by a new crime of using threatening, insulting or abusive words or behaviour in a place of worship.

Bibles and bridges, page 5

Ford strikers back down

The last work of resistance by Ford workers to a 7.4 per cent pay offer disappeared yesterday when 10,000 on official strike at the Halewood plant on Merseyside agreed to return to work today (Our Labour Staff writes).

A meeting of 1,600 workers at the Swansea transmission plant voted on Saturday to call off unofficial action and return to work today. The 1,600 workers at the plant, which had threatened to strike from today unless the offer was improved, will also work normally.

Sealink union's plea to Howell

Mr David Howell, Secretary of State for Transport, was asked by the Merchant Navy and Airline Officers' Association yesterday to intervene in the dispute which has halted British Sealink ferry services to Ireland and the Continent.

Firemen save sisters overcome by fumes

Naida and Saida Khalil, twin sisters aged seven, and their sister Parveen, aged four, were recovering in hospital last night after firemen rescued them from a fire at their home in Park Terrace, Keighley, West Yorkshire.

The girls were in bed and had stopped breathing because of fumes but revived after being given oxygen. Their brother Bahar, aged 13, was also taken to hospital.

Police federation chief stays on

Mr Alan Wright, chairman of the Northern Ireland Police Federation who resigned last week after a dispute involving the federation, and Sir John Hermon the Chief Constable, is to stay in office. His decision comes after a meeting of the central committee of the federation which endorsed a vote of confidence in him.

Murder charge

Stephen Sutton, aged 25, of Margery Park Road, Forest Gate, east London, has been charged with the murder of James Mesher, aged 24, of Baddow Court, Woodford Green, Essex, who was found dead outside the Eastern Curry House, Romford Road, Stratford, east London, on Saturday.

Penlee romance over

Mr Terry Brown, who proposed to a woman he met after his former wife and daughters drowned in a Penlee disaster, returned to his wife in South Africa yesterday and declared that his romance with Mrs Jamie Blair-Stewart was over. He said he expected to be dismissed from his lecturer's post.

Job loss fear in Civil Service technology deal

By David Felton, Labour Reporter

The Cabinet is expected to decide within the next week whether to sign an agreement with Civil Service unions on the introduction of new technology. The unions have said that without an agreement they will not work with new machinery.

After more than two years of negotiations ministers must decide whether to meet union demands that there will be no compulsory redundancies because of the introduction of new technology.

Any agreement would be temporary. The Government is hoping that the new technology will make recommendations on productivity bargaining in the service.

An agreement would be seen by the Government as a significant boost to the Year of Information Technology, as 1982 has been designated. It is thought that the strongest pressure for an agreement is coming from ministers at the Department of Industry, which is leading the national campaign to get wider acceptance and understanding of new technology.

The unions fear that Mrs Margaret Thatcher and Sir Geoffrey Howe, Chancellor of the Exchequer, are less keen on giving an undertaking on compulsory redundancies because they believe it could set a precedent.

A policy of non-cooperation would probably be difficult for the unions to organise and it would initially have little impact, but it could prove embarrassing for the Department of Industry, which as part of its contribution to the Year of Information Technology, is hoping to introduce new information processors and communications systems.

The union's main worry is over the possible ramifications of big computer plans for government departments. The

biggest is probably the proposal to introduce computerisation of the pay as you earn tax system, due to start in about two years.

There are also plans to replace the out-dated mainframe computer at the Driver and Vehicle Licensing Centre in Swansea and to introduce computerised National Insurance and social security records, known as the Camelot system.

Camelot is likely to have the greatest impact on Civil Service jobs because it will link each social security office by visual display units to a central computer at Newcastle upon Tyne. Staff in the offices will be able to obtain information from the computer within seconds.

Most of the nine Civil Service unions, representing about 530,000 white collar staff, decided at annual conferences last year to adopt the non-cooperation policy if the Government was not prepared to give a firm undertaking on redundancies.

Some union leaders believe that new technology is a more important issue than the annual pay negotiations, which are about to start. The Government is determined to cut the Civil Service by about 40,000 jobs to meet its target of a 20 per cent reduction by 1984, and the unions do not want to see even more jobs disappearing.

They believe that if they are involved in the planning stages of the big new systems, they can be found work in other areas. After many difficulties during the long negotiations, the compulsory redundancy issue is now the only stumbling block to reaching an agreement. The Government has promised the unions to let them know its decision by the middle of next week.

Anti-Tory action campaign

By Donald MacIntyre

Senior union leaders are to launch a new anti-Tory action campaign between now and the next general election to help to relieve pressure on Labour Party funds.

The 1913 Trade Union Act of freeing the unions' general funds for a campaign of opposition to the Government on selected topics such as unemployment and public ownership.

Union and party leaders were told at their meeting in Bishop's Stortford last week that such a move would clear the way for a new "Mr. Cube" anti-nationalisation campaign mounted by industrialists and Conservative supporters during the mid-1970s.

The proposal comes in a section of the background report on finance put forward by Trade Unions for a Labour Victory (TULV) the organisation which hosted last week's meeting, which suggests ways of making up the £3m short fall in the expected £3m cost to Labour of fighting the next general election.

The 1913 Act, governing the payment of political levy, limits spending on party objectives to the extent of political funds. The Certification Officer is responsible for reviewing complaints that general funds are being misused for political purposes.

The TULV paper says that despite the legal complications, it believes that it is entitled to campaign on primarily industrial issues in defence of its members' interests.

Any TUC campaign to help Labour in the next general election would almost certainly be criticised by leaders of politically uncommitted unions affiliated to the TUC but not to the Labour Party.

The total accumulated balance of union political funds stood at only £3.2m at the end of 1980, and party officials were told last week that the figure may not have increased during 1981 to keep up with inflation. By freeing general funds for a campaign against the Government, TULV would have a greatly increased reserve for propaganda.

Tatchell to test Foot's peace pact

By Our Political Staff

The first test of the new peace agreement reached between Labour Party and trade union leaders at St. Paul's, Stortford last week will come at today's meeting of the national executive when some controversial selections of candidates are to be reviewed.

After last week's meeting it was made clear that one of the conditions on which Mr Wedgwood Benn would agree not to stand again for the deputy leadership would be the acceptance of left-wing and Militant-supported candidates.

Selections coming up for review include those of Mr Tatchell, adopted at South-west, Bermondsey, but rejected by Mr Michael Foot and a majority on the national executive for his statements on extra-parliamentary action.

Mr Tatchell, a Militant Party worker, adopted in Bradford, North, in preference to the sitting MP, Mr Benjamin Ford; and Mr Robert Clay, whose selection at Sunderland, North, is being opposed because he has been in the party less than two years.

Bermondsey Labour Party has chosen Mr Tatchell by 59 votes to seven and the constituency's management committee has written to the organisation, subcommittee supporting his appeal.

The committee's motion stated: "We do not intend to endorse Peter Tatchell as our candidate as we can see no reasons for this decision. We believe that the NEC's decision, unopposed in recent times, threatens to split the Labour Party by the way in which it undermines the right of constituency parties to choose their own candidate."

It asks the subcommittee to start the process to reverse the NEC decision. In particular, it asks the subcommittee to change circumstances since the NEC decision—the announcement by the incumbent MP, Mr Robert Mellish, that he does not intend to resign, thereby removing any imminent prospect of a by-election.



Down and out: The weather proved too much for this callbox in Shirwell, Devon, felled by an ice-laden bough.

Weather: A struggle back to normality

The stoics of Selby, upstairs

From Ronald Kershaw, Leeds

When the telephone rings at Park Farm Cottage, near Selby, north Yorkshire, the caller has to be patient because the subscriber, Mrs Carol Robinson, has to put on a pair of Wellingtons, go downstairs and negotiate a flooded ground floor before she can pick up the receiver.

Mrs Robinson, her husband and sons, Adrian, aged 18, and Ian, aged 15, have been stranded in their remote cottage since last Tuesday when three feet of floodwater swept into their home.

The River Ouse has dropped some six or seven feet since the height of the floods last week but the Westlands to the south-west of the river where the Robinsons live still has floodwater trapped outside the banks of the river.

In some places it is still more than five feet deep and is covered with a layer of ice, which makes it dangerous to cross in places and dangerously thin in others.

The Robinsons, and their next-door neighbours, Mr and Mrs Sean Clarke, were visited by a helicopter on Friday. Milk, bread, bacon and dogfood for their dog were dropped on to the roof of the Clarke's garage.

One piece of luck for the Robinsons was that the floodwater stopped half an inch below their lowest electricity

point. It meant that the power remained on and heating and cooking was possible. Both families have well-stocked deep freezers, balanced precariously on milk crates above the floodwater.

"It is easy to become depressed," Mrs Robinson said. "I keep looking at my kitchen where I have just spent £2,000 on a new layout with modern units. We had just about got it completed when the floods came."

"I was looking through the window the other day when I saw some rats running across the ice. I tried to open the window to shout to my husband and I broke the glass. I am afraid I burst into tears but on the whole we manage to stay cheerful."

Mr William Robinson and his wife work at Northern Dairies in Selby. Mr Clarke is a Central Electricity Generating Board worker at a power station.

Elsewhere in the Selby area teams of local authority workers, police, gas and electricity board workers and the armed services are helping to get rid of the silt as the floodwater is pumped away by the Yorkshire Water Authority.

Mr David Kidger, a spokesman for Selby District Council, said at the Selby flood control centre last night that pumping

was difficult because most of the floodwater now had three or four inches of ice on top. High tides are due today and tomorrow, but if the weather stays as it is there is no cause for alarm. The river could be tidal water from the Humber, but it there were a sudden thaw and it had to take ground water from the Dales as well there would be further flooding.

There are still about a dozen farms cut off. Mr Neville Barrman, of the National Farmers' Union, said some farmers had suffered heavily particularly where floodwaters had entered buildings to damage grain and potato stores. Many farms had winter wheat and barley under water and while those crops were able to withstand a certain amount of flooding there was no knowing how badly affected they had been.

Mr Barrman said he had no reports of livestock being lost. The main problem was, because of a good autumn, increased acreages of crops had been sown.

A matter of some concern to farmers was the likely effect of extracting silt from the new Selby canal. He said farmers had been told by the National Canal Board that when that started there would be land subsidence of up to one metre.

Cash plea to help mental patients

By Annabel Farriman, Health Services Correspondent

Local councils must be given more money immediately if the Government's plan to move 10,000 people from mental hospitals to be realized, the Independent Development Council for People with Mental Handicap says.

Unless parents caring for mentally handicapped children at home are given more support, 10,000 more people may soon need hospital care rather than 20,000 patients leave, it says.

"It is estimated that there are some 5,000 people living with parents who are more than 75 years of age, many of these being single-parent families," it says.

"Local studies show that these parents are having to shoulder appalling burdens and are not likely to be able to continue providing care for their sons and daughters much longer."

Taking into account that many younger parents are finding the task impossible, 10,000 people could need residential care over the next 10 years, it says.

The council, which was set up last July by six mental health charities, was replying to the Government document *Care in the Community*, published last year.

It rejects the document's seven methods for transferring resources from hospitals to the community. Instead, it favours a funding system involving grants to local authorities specifically for the care of the mentally ill and handicapped.

The council joins the Royal Institute of Public Administration and the Campaign for Mentally Handicapped People in saying that the Government would be naive to imagine that its new policy can be developed without extra resources.

It says that if mental patients live in the community, there will be a greater need for day care centres, adult training centres, home visiting and other family support services.

"We are confident that the unit cost of a good community care service will be higher than that of hospital care with poor staffing ratios and other inadequacies."

It wants councils rather than health authorities to take responsibility for developing those services with advice from joint planning bodies established by each council and its district health authority.

The development council, whose chairman is Mr Brian Rix, the former actor, is supported by MENCAP, the Mental Handicap Association, the Royal Society for Mental Health, the Spastics Society, the Association of Professionals for the Mentally Handicapped and the Campaign for Mentally Handicapped People.

The latter, in its response to the Government's plan, criticises a suggestion that the first people to leave hospital should be the least severely handicapped.

"Since the more handicapped people tend to live in the worst back wards, it could be argued that there are strong moral reasons for discharging the most deprived group first," it says.

Curbsought on councils' water power

By David Walker

Councils should have much less say in the running of the nine statutory water supply authorities responsible for water supply, sewerage and rivers in England, according to a Government consultative paper to be published this week.

The paper, from the Department of the Environment, will embody proposals for a big reorganization of the water industry based on a new "water authority" ministerial belief that water authorities have been run slackly.

They blame this on the number of local councillors on the authorities.

The Monopolies and Mergers Commission last year criticised the "water authority" in the Severn-Trent Water Authority and suggested its 48 members should be reduced to 12.

Department of the Environment officials believe that if the water authorities were more like the new town corporations, consisting entirely of appointees of the department, continuity to their operations and efficiency would be guaranteed.

Most authority members are nominated by local councils and the rest are nominated by government departments. Last month the Government announced that the Welsh Water Authority would be reduced in size from 36 to 13 members, all directly appointed by Mr Nicholas Edwards, Secretary of State for Wales.

The Association of County Councils is against changing the composition of the authorities because of "fundamental constitutional implications". The Association of Metropolitan Authorities would accept smaller authorities provided councils retained their direct representation.

CORRECTION

The BBC points out that the cast of *Gone With the Wind* was 144 in a package of 25 other films, not 110, as stated on January 8. It can show the film nine more times, not three.

Science report

Vortex of gas may power galaxies

By the Staff of "Nature"

A group of astrophysicists working at Cambridge has proposed an elegant new theory of radiogalaxies, mysterious objects in deep space which have puzzled astronomers since their discovery in the early 1950s.

Radiogalaxies are immensely powerful emitters. For example Cygnus A (the first radiogalaxy to be identified optically as well as in radio waves) radiates 100 trillion trillion watts of power in radio, millions of times as much as all the stars in our own radio-quiet galaxy, the Milky Way. Another strange feature is that a radiogalaxy tends to emit its radiation from two distant blobs of material on either side of, and leading away from, the main optical galaxy of stars—while the galaxy and its nucleus themselves produce a little radio radiation.

The question is, from where do these streaks get their staggering energy? Theorists have concentrated on the galactic nucleus, but a new phenomenon appears to go on in many galaxies, but until now no theory has been able to account satisfactorily for both the quantity of energy that the nucleus must emit to power the two streaks and the beaming of the energy in opposite directions. Now Professor Martin Rees and Dr Steve Hawking of the Institute of Astronomy, Cambridge, together with visiting American colleagues Mr Mitchell Begelman of the California Institute of Technology and Mr Roger Blandford of the University of California at Berkeley, may have found the answer.

Writing in *Nature*, the group makes two radical propositions: first, that the source of the energy is the rotation of a giant black hole 100 million times the mass of the Sun; and second, that the rotational energy is extracted by magnetic phenomena in a vortex of gas spinning around the black hole, working like a kind of giant electromagnetic machine.

Under the right conditions, the group argues, the spinning gas (coming perhaps from stars disrupted by passing too close to the black hole) can trap faint galactic magnetic fields and compress them, twisting the rotation axis. As the same time, the compression of the field would cause electric currents to flow on the inner surface of the whirlpool. Electromagnetic fields would pull off some amount of the gas in the vortex and deposit them downwards into the black hole. This slows the black hole down, and creates a radiation which travels up out of the vortex.

The radiation carries away the energy lost by the slowing of the black hole, and is beamed along the rotation axis by the narrow vortex. The emission is symmetrical about the axis, and the energy is carried off the ends of the vortex. If the black hole is rotating very fast, nearly a third of its energy may be beamed out in this way. Ultimately this radiation, travelling away from the galaxy, entrains matter and creates blobs and streaks of radio emission detected by radio astronomers.

Source: *Nature*, Vol 295, p 17 (7 January) 1982.

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Award No.7 for Metro.

The Austin Metro has added the Worshipful Company of Coach Makers award to its already impressive list of successes.

Past winners include Concorde, Harrier Jump Jet, Jaguar and Rolls Royce cars.

The Metro has already won six other important awards.

They include the Don

Safety Trophy, the Duke of Edinburgh's Design Award, the RAC Dewar Trophy and the Design Council Award.

The Metro was also adjudged 'Top Car in 1981' by the Guild of Motoring Writers and Best Small Car 1981 by 'What Car?' magazine.

BL Fighting back

Riot case criticism rejected

From Our Correspondent, Nottingham

Lawyers who have criticized the way riot cases were handled by magistrates in Nottingham were answered yesterday by Mr George Wainwright, chief clerk to the courts, who told them to remember the victims as well as the offenders.

Vigorously rejecting allegations by Nottinghamshire Law Society in the *New Law Journal*, he said their report was an attempt to impugn the reputation of the Nottingham bench. Describing it as "in many instances factually incorrect and, in one at least, wrong in law", he added: "It is particularly significant that there have been no successful appeals against conviction."

The society complains that all the prosecutions on July 19 were conducted by untrained police officers and not, as usual, by members of the prosecuting solicitor's department.

It says an inspector was allowed at the opening of the proceedings to make a general statement in the presence of only one unrepresented defendant. He produced albums of

photographs taken in the riot area of gutted cars, smashed shop windows, and looted shops, and showed exhibits of offensive weapons recovered by the police, though none related to any particular case.

Contrary to established practice, no defendants concerned in the riot cases were referred to the duty solicitor before the proceedings started, the society says. Defendants were therefore unrepresented.

Facts presented by the police from apprehension reports were in some cases found to be inaccurate, it alleged, and defendants were dealt with, and one remained in custody, without legal advice.

Mr Yandell said the report failed to recognize the great burden of responsibility which magistrates had to discharge "to do justice to all manner of people". That did not mean only to the accused, but also to those law-abiding citizens who were terrorized by events on the streets last summer.

Mr Yandell explained that in the week of July 13 to 20,

106 defendants appeared before Nottingham magistrates' courts charged with offences arising from the street disorder of July 19. Of those 59 were represented by solicitors, and 37 were not; 37 were adults and 19 were juveniles.

Of the adults, 50 pleaded guilty on their first appearance, of whom 40 were given immediate custodial sentences; three were given suspended prison sentences; five were fined, and two were sent to the crown court for sentence.

Of the 50 who pleaded guilty, 32 were represented by a solicitor. Fourteen of the 40 defendants who received custodial sentences were not represented by solicitors. The official court record showed that in none of those cases did the defendants wish to be represented.

All 19 juveniles were dealt with by the juvenile court, where 12 admitted their guilt. To date, there had been 18 appeals to the crown court, in all of which legal aid had been granted. None had been successful.

RAPE CASE JUDGE EXPLAINS

By Marcel Berlins

The judge at the centre of the rape controversy, Judge Robert Richards, has written to the Lord Chancellor, Lord Hailsham of Marylebone, explaining his sentence and accompanying comments. That does not mean the Lord Chancellor is contemplating taking any formal action.

In a letter to Mr Jack Ashley, Labour MP for Stoke-on-Trent, South, he is likely to receive today, Lord Hailsham is understood to have made it clear that in his opinion the judge was mistaken in using the concept of "contributory negligence" to impose only a £2,000 fine on the rapist.

The judge had said the girl was guilty of contributory negligence for hitch-hiking at night. Lord Hailsham's letter is understood to point out that the girl's behaviour should count as a reason for a low sentence for rape only where she had been guilty of some deliberate sexual provocation.

Letters, page 7

Poland: Nato looks for answer

Haig meets resistance in Brussels today

From Ian Murray, Brussels, Jan 10

The Polish crisis has forced NATO to call a special meeting of the North Atlantic Council for the first time in its history. The meeting takes place in Brussels tomorrow, with the urgent task before it of proving the unity of the alliance.

The importance of the meeting is underlined by the fact that Alexander Haig, the American Secretary of State, will be there. His aim is to reinforce the European members of the alliance and to push the alliance to take tougher action in line with American sanctions already announced against the Soviet Union.

European ministers held a special informal meeting a week ago to work out a statement on Poland, but it is only in the NATO forum that a meeting involving allies from both sides of the Atlantic can properly take place.

An all-party delegation of American congressmen in Brussels last week made it plain that they were disappointed but not surprised that the EEC foreign ministers had condemned martial law in Poland but had stopped short of agreeing on any sanctions. The congressmen were, however, pleased by undertakings not to undermine American sanctions and by a suggestion that Europe might impose import restrictions on Soviet goods.

The three prime objectives of the European countries were spelt out last week in the statement agreed by the EEC foreign ministers in Brussels. These are: an early end to martial law, a release of those arrested; and a return to the talks between the Government and the Catholic Church.

These objectives could be shared by the United States; but the tactics required to achieve them lie at the centre of the discussions which will form the basis of tomorrow's meeting.

European diplomats are expecting — and in some cases preparing to resist — pressure from Mr Haig to push the allies into producing a final statement that would include a commitment to take tough concrete measures against the Soviet Union.

The Polish authorities may have had this in mind when they lifted some restrictions on the communication over the weekend in a move at least partly aimed at soothing European feelings.

Although there is a shared European view that the imposition of martial law must have been with Soviet knowledge and support, there is no accepted proof of direct involvement in what occurred.

One diplomat explained:

"The one circumstance we made no allowances for was that the Poles might invade themselves."

The difficulty in agreeing tactics is underlined by the continuing uncertainty among the allies as to what prompted the takeover by General Wojciech Jaruzelski. West Germany and Greece are still prepared to give him the benefit of the doubt and conclude that he stepped in to forestall a Soviet invasion.

West German sources indicate that their Government is unlikely to agree to any measures that could seriously damage its policy of détente; Greece is not prepared to endorse a final statement condemning the Soviet Union; France will oppose moves to cut off essential aid to Poland.

France also has suggested at meetings of officials that Washington is guilty of trying to impose a double set of standards. The French Government threatens the American stand on Poland with the support it gives to the military regimes in Turkey, Chile and El Salvador.

A number of European countries, notably France and West Germany, also are unhappy about the fact that America has not imposed a grain embargo, while at the same time it is expecting Europe to stop its rewarding high technology trade with the Soviet block.

Schmidt argues case for early summit

From Nicholas Ashford, Washington, Jan 10

New impetus for an early summit between President Reagan and President Brezhnev came today from Herr Helmut Schmidt, the West German Chancellor.

He said that a meeting between the two leaders was needed to avoid Soviet miscalculations and to make the Russians understand "the guts that are behind the American President".

In a recorded interview on an ABC television news programme, Herr Schmidt told Americans: "They [the Russians] underestimate you, and this is a great danger. It can lead to miscalculations which might spell danger for all of us — for you as well as for us in West Europe, as well as for them."

President Reagan has already forecast that a summit meeting is likely to take place this year, and Mr Alexander Haig, the Secretary of State, said recently that the President believed that summit meetings might be even more necessary in times of crisis than in calm.

Today's interview was recorded during Herr Schmidt's visit to Washington last week and of which he and President Reagan issued a joint statement asserting Soviet responsibility for events in Poland. The interview was broadcast just as Mr Haig was leaving Washington for tomorrow's special session of NATO foreign ministers in Brussels. After this Mr Haig is travelling to Egypt and Israel.

Truncheons for some, but 'very lax' for others

By Denis Taylor

Passengers on a charter flight from Warsaw to Heathrow Airport, London, yesterday told contrasting stories of their experiences in Poland.

Mr Steve Brent, a news agency photographer, said that special police officers beat him with rubber truncheons and hurled him against a wall as he took pictures of an anti-military demonstration in Katowice. He was released when he saw his photographer's pass.

But last Wednesday he was detained in Lodz, questioned and held in a police cell. "They pushed me around and all I had in 48 hours was a few cups of tea, I explained I had been given a visa by the Polish consul in London and at last they let me go. I was allowed to go to Warsaw but had to stay in my hotel room waiting for a plane."

A printer from Cambridge, who arrived on the same aircraft, said on the BBC Radio programme *The World This Week*: "Travelling is almost impossible as far as official permission is concerned, but travelling without permission is as easy as



Greg Midkiff, journalist for the "Sunday Mirror", due to trial for visa irregularities.

At its first meeting since the imposition of martial law, the Communist Party of Great Britain called for "the immediate release of the detained representatives of trade union and other democratic organizations, the restoration of democratic rights to the Polish people and a return to civilian rule."

Moscow fears for party

Continued from page 1

parties, put to Mr Marian Wozniak from the Polish party here on Wednesday.

The Russians acknowledge that changes are essential if Poland is to become solvent. But how far change goes and how it affects ideology is a problem that will remain long after the crisis is over. For, as the Russians know, economic relations determine the nature of communism.

The cost of a complete return to orthodoxy will be too high for the Russians and their Eastern block partners in Comecon to bear. Czechoslovakia has already shown how stagnation follows repression.

Greece has a surplus of citrus fruit this season and the Soviet block intends to buy a lot, but that hardly explains the ardour with which the issue is being handled in Athens. Wholesale condemnation of non-Communist military regimes and alleged American involvement in them, is commonplace, in spite of Greece's interests in those countries.

Opposition sources are surmising that in return for blocking joint Western action on Poland, Athens may have secured pledges that the pro-Moscow Communist Party will restrain its militant trade unions over the Government's delicate policy.

Greeks point finger at Turks

Mario Modiano, Athens, Jan 10

Greece is likely to block any agreement on sanctions against Poland or the Soviet Union at tomorrow's special session of NATO foreign ministers in Brussels by proposing, if all else fails, parallel sanctions against Turkey, which is also under military rule.

This was implied in a letter sent by the Government to NATO ambassadors in Athens on Friday. It expressed the view that NATO was hardly the right forum to condemn a military dictatorship, seeing that the alliance harboured one in its own ranks — meaning Turkey.

The letter outlined then context within which Mr Ioannis Karamanolis, the Greek Foreign Minister, who left for Brussels today, would be prepared to cooperate in formulating a common stand by NATO's 15 members on the Polish crisis.

Athens hopes that strong opposition by other members to the sanctions proposed by a United States draft resolution will not be blamed again for the failure of a NATO meeting.

Last month it blocked a communiqué by the NATO Defence Planning Committee and last week Mr Asimakopoulas, the Foreign Affairs Undersecretary, was dismissed for endorsing the EEC's condemnation of Soviet pressures on Poland. Greece has been made aware that if this obstructionism continues, the joint communiqué would be issued in the name of the other 14 members.

The Greek Government's letter to NATO ambassadors said that while Athens denounces the imposition of martial law in Poland, it could be counter-productive at a time when there were hopeful signs that the Poles might be able to work out their own problems without outside interference.

At the same time, while it is recognised that there was Soviet involvement, the Greek Government says that from the legal point of view the evidence is not strong enough to justify a further worsening of East-West relations with sanctions.

Mr Karamanolis' brief is apparently to reject the American draft and to suggest an alternative proposal by Canada, West Germany and Belgium, or the compromise draft of the NATO Secretariat, with modifications.

Western diplomats in Athens are expressed even puzzled by the strength of feeling displayed by Greece in its attitudes on Poland, which is hard to explain in terms of national interest or of ideology.

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Opposition sources are surmising that in return for blocking joint Western action on Poland, Athens may have secured pledges that the pro-Moscow Communist Party will restrain its militant trade unions over the Government's delicate policy.



Begin buys off Yamit settlers with £130m

From Moshe Brilliant, Tel Aviv, Jan 10

Mr Yoram Aridor, Israel's Minister of Finance, stepped back from a threatened confrontation with Mr Menachem Begin, the Prime Minister, and flew to London on a delayed Government mission.

There had been speculation about his impending resignation when he cancelled his flight on Friday after being outvoted in a heated Cabinet discussion of compensation to be paid to Israelis displaced from farms and homes in Sinai by the Israeli withdrawal in April. The Cabinet voted to pay more than 4,000 Shekels (£130m) to residents of the town of Yamit and surrounding settlements. The Minister's mission to Britain is to take part in a drive to sell Israeli government bonds.

Mr Begin, who had pushed through the compensation decision on Thursday by a 5-4 vote, with eight abstentions, cancelled today's scheduled weekly Cabinet meeting. His office claimed there were no urgent matters to discuss; but it was widely suspected that he wished to forestall any further discussion on the issue which he had passed by the force of his own personality.

Abstainers and some of Mr Begin's supporters in the vote privately agreed with Mr Aridor that the compensation was too liberal and said the Government had yielded to the settlers' threats of violence.

By flying to London today, Mr Aridor was relieved of taking part in a meeting of the parliamentary finance committee, which is to decide on the expenditure. Coalition parties have a one-man majority in the committee but deputies said they will not rubber-stamp the Government's decision. Rabbi Shimon Leshem, the chairman of the committee, said the committee was unlikely to reach a decision tomorrow.

Libyans in Ghana for talks

Accra, Jan 10 — Flight-Lieutenant Jerry Rawlings, who led the military coup here 10 days ago, is believed to have discussed restoring diplomatic ties with Libya in his talks with Libyan officials now visiting Accra, the Ghana news agency reported.

It said the delegation came here yesterday to express solidarity with the National Defence Council, which was set up after the civilian administration of President Hilla Limann was overthrown in the coup. Diplomatic relations between Libya and Ghana were broken off last year after alleged subversive activities by Libyan diplomats.

The agency quoted Flight-Lieutenant Rawlings as saying Ghana would cooperate with all countries, irrespective of ideological persuasion, in its struggle to build a just, equitable society. The delegation delivered greetings from the Libyan leader, Colonel Gaddafi, to Flight-Lieutenant Rawlings, but no details were given of the talks held later.

From Abidjan it is reported that Ghana's borders, ports and airports were re-opened officially yesterday, although intending air travellers have been continually frustrated in their efforts to "obtain landing permission in Accra."

Anti-terror drive in Italy

From Peter Nichols, Rome, Jan 10

Anti-terrorist squad officers today questioned 12 people, while prosecutors sifted through captured documents at police headquarters here after what is regarded as one of the most important operations in years against the Red Brigades.

Given that the Government faces criticism in Parliament tomorrow of its handling of terrorism, there is a natural tendency to make the most out of the weekend arrests.

Signor Giovanni Senzani, a former professor of criminology at Florence University, described as the most wanted Red Brigades leader, was arrested early on Saturday. He has been charged with conspiracy to kidnap and membership of an armed band.

He was arrested while sleeping in a flat alleged to be a terrorist base in a suburb of Rome. Simultaneously, police raided two other alleged centres of terrorism activities outside Rome.

Investigators dealing with the case of the Brigadier General James Dozier, kidnapped in Verona by the Red Brigades last month, are sifting through documents seized in the three houses.

The girl in the paper box



Salisbury. — Zimbabwe police have arrested a young white man after discovering a large arms cache here. Seventeen rifles, explosives and more than 20,000 rounds of ammunition were found. Police who found the weapons had been investigating illegal gun dealing.

The arrested man is being held incommunicado at Chikurubi prison. He brings the number of people detained under emergency regulations since October to 13, all of them white. Last week it was confirmed that three members of the Central Intelligence Organisation, the equipment of the Special Branch, had been arrested.

Mr Nimeiry said Mr Hindi died when he fell sick in Saudi Arabia where he had gone due to "his opposition to the people's revolution in Sudan". The statement did not say where Mr Hindi had died.

Paris. — Police have arrested a 10-year-old alleged gang leader and drug addict, identified as "Max the Kid" on charges of robbing at least 150 people. He is charged with two 14-year-olds, with attacking people in the Paris Metro and Les Halles shopping complex, threatening with razors and knuckledusters.

Tram Thi-Het began her life sleeping in a cardboard box on a Saigon street. The photograph by an American war correspondent saved her life. Eight years later a warm hug shows the love of Ms Evelyn Hall, a teacher of Springfield, Ohio, who has adopted her.

her life. Eight years later a warm hug shows the love of Ms Evelyn Hall, a teacher of Springfield, Ohio, who has adopted her.

NEWS IN SUMMARY

Koivisto heads for victory

Helsinki — Mr Mauno Koivisto, the Finnish Prime Minister, has maintained his overwhelming opinion poll lead in the presidential election campaign. Voting will take place next Sunday and Monday. A 301-member council of electors will then choose the president on January 26. The latest poll said 56 per cent preferred Mr Koivisto, a moderate Social Democrat, to President Urho Kekkonen. The figure was 60 per cent and in late November 54 per cent in the same poll (Offe Kivinen writes).

The main non-socialist candidates come far behind. Mr Harri Holkeri, of the Conservatives, is second with 12 per cent and Mr Johannes Virolainen of the Centre Party third with 11 per cent. The poll forecasts disaster for the badly split Communists. Their candidate received only 3 per cent support. In last year's local elections the Communists received 17 per cent of votes.

Earth tremors hit Canada

Halifax, Canada. — Two earth tremors shook Canada's Atlantic coast and were felt in the north-east United States. No casualties were reported. Experts expressed amazement because the region has none of the geological features typical of earthquake zones.

The first tremor measured 5.5 on the Richter scale. Its epicentre was in New Brunswick, about 62 miles north of Fredericton. The United States Earthquake Control Centre in Boulder, Colorado said it was the strongest strike that part of Canada since 1855. The second tremor had an intensity of 4.9, the Canadian Ministry of Energy, Mines and Resources said in Ottawa.

Minister feared dead in crash



Kuala Lumpur. — Tan Sri Ghazali Shafie, the Malaysian Foreign Minister, is missing and feared dead after the wreckage of the six-seater single-engine aircraft he was flying in was found. An official statement confirmed that his aircraft had crashed into a hill near Janda Baik village, about 20 miles east of here. Unconfirmed reports later said three bodies had been found.

The minister, aged 60, was believed to be on his way to visit his constituency which he had represented since 1964. He has been a Cabinet Minister since 1970.

Salisbury police detain white

Salisbury. — Zimbabwe police have arrested a young white man after discovering a large arms cache here. Seventeen rifles, explosives and more than 20,000 rounds of ammunition were found. Police who found the weapons had been investigating illegal gun dealing.

The arrested man is being held incommunicado at Chikurubi prison. He brings the number of people detained under emergency regulations since October to 13, all of them white. Last week it was confirmed that three members of the Central Intelligence Organisation, the equipment of the Special Branch, had been arrested.

Sudan opposition leader dies

Khartoum. — Sherif Husain Khatib, Chief Sudanese opposition leader, died of a heart attack, President Nimeiry said.

Mr Nimeiry said Mr Hindi died when he fell sick in Saudi Arabia where he had gone due to "his opposition to the people's revolution in Sudan". The statement did not say where Mr Hindi had died.

Max the Kid held in Paris

Paris. — Police have arrested a 10-year-old alleged gang leader and drug addict, identified as "Max the Kid" on charges of robbing at least 150 people. He is charged with two 14-year-olds, with attacking people in the Paris Metro and Les Halles shopping complex, threatening with razors and knuckledusters.

China-India talks

Delhi. — India and China in May expect to hold more talks on their disputed border, a dispute that led to a war in 1962, the Press Trust of India news agency said. A first round of talks was held in Peking last month. The next round probably will be held in Delhi.

Zia inaugurates his Islamic federal council

From Hasan Akhtar, Islamabad, Jan 10

An important new stage in President Zia ul-Haq's controversial programme for the Islamization of Pakistan will be reached tomorrow with the inauguration of his 287-member Federal Council.

It will meet in the offices of the National Assembly, now renamed the Majlis-e-Shoora to emphasize the religious nature of the new council.

All the members have been nominated after a prolonged screening from district level upwards by provincial governors and the President's own representatives. General Zia has described his nominees as "respectable, honest and religious men wedded to the Pakistan ideology".

The members are supposed to be non-political, but most of them have a political background and the majority belonged to various factions of the Muslim League or the Pakistan People's Party. Few are front-rank politicians.

Other major interests represented are traders, religious bodies, the press and industrialists. There are a few women and non-Muslims. The President says the council is not a substitute for an elected body, yet the state-controlled media give the impression that it is the precursor of an Islamic system being planned by the Council of Islamic Ideology.

The presidential order establishing the Federal Council makes it clear it will function only with the President's agreement and that it will serve as an advisory body on legislative, administrative and fiscal matters, without the power of veto on government decisions.

The Federal Council follows General Zia's attempts in the past four years to broaden the base of his regime under martial law. Several important leaders, including Mr. Abdul Wali Khan, former Leader of the Opposition during Bhutto's time, Mr. Ghulam Mustafa Jatoi, the late Mr. Bhutto's lieutenant and former Sind Chief Minister, Air Marshal



Asghar Khan, Tehrike Istiqlal leader were said to have been asked to form a government under General Zia, but it is believed they insisted on a plan for elections and the total transfer of power to the elected Parliament and its Government.

General Zia has insisted that internal and external conditions, especially the continuing Afghan crisis and what he sees as India's belligerent attitude makes it impossible to order a general election in Pakistan.

General Zia wishes to appoint another 63 people to the council. The completion of the present council shows that great care has been taken in filling the seats to satisfy the demands of different tribes, clans and other vested interests which dominate Pakistan's feudal society.

With luck, which General Zia never seems to lack, the new political system may help him to rule without serious challenge for quite some time.

Shootout in Tirana a headache for Hoxha

From Dossa Trevisan, Belgrade, Jan 10

With the Albanian Parliament due to meet this week to rubber-stamp a successor to Mehmet Shehu, attention is still focused on his mysterious death and the subsequent developments.

Last month the long-serving Prime Minister was reported to have committed suicide. The regime appeared to respond with anger to his death and he was denied state honours.

Mr. Enver Hoxha, the party leader, has not been seen in public since then and reports reaching here say his portrait has been removed from public places. Some indication of his standing may come tomorrow at the ceremony marking Albania's post-war proclamation of its People's Republic. The highest dignitaries usually attend.

The identity of the new prime minister is intriguing because it will signify what direction Albania will go.

After the break with China in 1978 the withdrawal of aid had an adverse economic effect on a country that has the lowest per capita income in Europe. A new approach was needed and lately there have been timid indications of a desire to open up, primarily towards West Europe. At the last party congress there was a change with regard to West Germany — Albania no longer insisted on war reparations as a condition for diplomatic relations. Even so, relations with Britain, over which the return of Albanian gold is still a main obstacle, there is a more flexible attitude, though Tirana insists on the gold being returned before diplomatic relations can be resumed.

Shehu's name was linked with a more open policy, but there is still much that remains unclear.

Another question is the fate of Mr. Shehu's widow Mrs. Shpresa Shehu, who, along with Ramiz Alia, Politburo member and now the second man of Albanian party, was in charge of ideology. She has enforced the rigid line and has often been spoken of as the woman of iron.

She is party secretary of Tirana, the capital, which suggests that she has a strong power base. She is also the head of the party school at the central committee which means that the new generation of leaders is chosen after her recommendation. But her future, too, is now affected because of the disapproval of Mr. Shehu.

Rumours about how Shehu died abound. It has been suggested that he was killed in a shoot-out. According to this version, a meeting of the two Albanian leaders had been called for on the night of December 17. Shehu pulled a gun on Mr. Hoxha and was shot instantly. Another report said Mr. Hoxha was shot and injured by the Minister of Defence.

Family ties and tribal loyalties play a crucial part in the Hoxha hierarchy. During the various purges connected with Albania's shifting alliances, the executions of political opponents often meant liquidation of their families, too.

The late Prime Minister had personally executed many of Mr. Hoxha's political opponents.

The Soviet Union has been making peace overtures for many years and offers to establish diplomatic relations at least once a year, usually on the eve of Albania's national day.

There is little likelihood that Albania will move in the Soviet direction while Mr. Hoxha is in power. It would mean loss of face and in Albania, where face is more important than anything else, it would be the end of him. It is believed that the Soviet Union is trying to effect a rapprochement by proxy. Vietnam is the only Communist country which maintains a close relationship with Tirana.



1882: Sylvia Pankhurst born; the Law Courts opened; A. A. Milne, creator of Pooh, born; Geoffrey de Havilland, Mosquito inventor, born

Charles Robert Maturin, Irish writer of Gothic romances was born, 1782. John Bunyan's *The Holy War*, was published, 1682. F. Anstey's *Vice Versa* and Richard Jefferies's *Bevis* were published, 1882. The Church Army was founded, 1882.

- ## JANUARY
- 1 Johann Christian Bach, German composer, died, 1782.
 - 2 William Harrison Ainsworth, novelist, died, 1882.
 - 3 Robert Morrison, missionary to China, born, 1782.
 - 4 Richard Henry Dana, American writer, died, 1882.
 - 5 Peter Dawson, Australian singer, born, 1882.
 - 6 Alan Alexander Milne, writer of children's stories, born, 1897.
 - 7 John Linnell, painter, died, 1882.
 - 8 Virginia Woolf, critic and novelist, born, 1882.
 - 9 First meeting of The London Chamber of Commerce, 1882.
 - 10 Daniel Aubert, French composer, born, 1782.
 - 11 Franklin Delano Roosevelt, 32nd President of the USA, born, 1882.
 - 12 Anna Pavlova, Russian prima ballerina, born, 1882.



Anna Pavlova

- ## FEBRUARY
- 2 James Joyce, Irish novelist, born, 1882. James Stephens, Irish poet, born, 1882.



Portrait of James Joyce by Wyndham Lewis

- 13 Thomas Thynne of Longleat, assassinated, 1682.
- 14 George Jean Nathan, American writer, born, 1882.
- 15 John Barrymore, American actor, born, 1882.
- 16 Luca Della Robbia, Italian sculptor, died, 1482.
- 17 Eric Gill, sculptor and typographer, born, 1882.
- 18 Alessandro Stradella, Italian composer, died, 1682.



MARCH

- 2 Attempted assassination of Queen Victoria at Windsor Station by Frederick Maclean, 1882.
- 3 Jacob van Ruysdael, Dutch painter, died, 1682.
- 4 Ralph Lynn, comedy actor, born, 1882. Gian Francesco Malipiero, Italian composer, born, 1882.
- 5 George Charles ("Boatswain") Smith, founder of seamen's missions, born, 1782.
- 6 Henry Wadsworth Longfellow, American poet, died, 1882.
- 7 Haydn Wood, composer, born, 1882.
- 8 Frederick Nash, painter, born, 1782.
- 9 Dora Greenwell, essayist and poet, died, 1882.
- 10 Sicilian Vespers — the massacre of the French in Sicily, 1282. Melanie Klein, Austrian psycho-analyst, born, 1882.

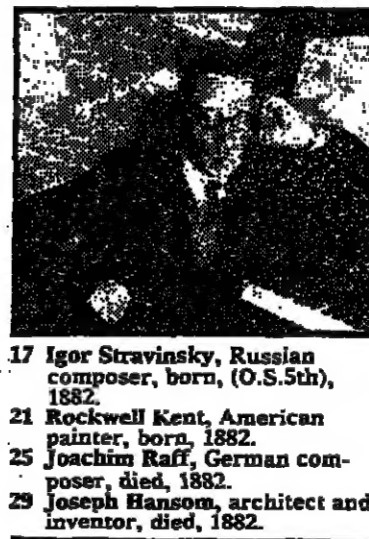


APRIL

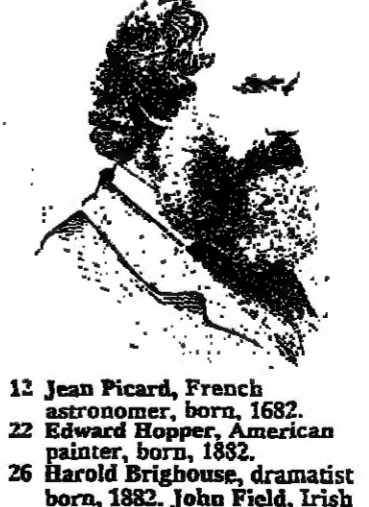
- 2 Deneys Reitz, South African soldier and writer, born, 1882.
- 3 Bartolome Murillo, Spanish painter, died, 1682. Jesse James, American outlaw, murdered, 1882.
- 4 Phineas Fletcher, poet, baptized, 1582.
- 9 Dante Gabriel Rossetti, painter and poet, died, 1882.
- 12 Antonio Metastasio, Italian poet and dramatist, died, 1782.
- 15 Jan van Eyck, Dutch painter, born, 1382.
- 16 William Jerdan, Scottish journalist, born, 1782.
- 17 Arthur Schnabel, Austrian pianist, born, 1882.
- 18 Leopold Stokowski, American (English-born) conductor, born, 1882.
- 19 Charles Darwin, naturalist, died, 1882.
- 21 Friedrich Wilhelm Froebel, German philosopher and educator, born, 1782.
- 24 Hugh Caswell Dowding, 1st Baron Dowding, Air Chief Marshal, born, 1882.
- 27 Ralph Waldo Emerson, American philosopher, poet and essayist, died, 1882.
- 29 John Nelson Darby, founder of the Darbyite sect of the Plymouth Brethren, died, 1882.

- ## MAY
- 5 Sir Douglas Mawson, scientist and explorer, born, 1882.
 - 6 Sylvia Pankhurst, militant suffragette, born, 1882.
 - 6 Murder of Lord Frederick Cavendish and Thomas Henry Burke, by Fenians in Phoenix Park, Dublin, 1882.
 - 13 Georges Braque, French Painter, born, 1882.
 - 15 Richard Wilson, painter, died, 1782.
 - 16 John Sell Cotman, painter, born, 1782.
 - 20 Sigrid Undset, Norwegian novelist, born, 1882.

- ## JUNE
- 1 John Drinkwater, poet and dramatist, born, 1882.
 - 2 Giuseppe Garibaldi, Italian patriot, died, 1882.
 - 3 James Thomson, poet, author of *The City of Dreadful Night*, died, 1882.
 - 12 Cecilia, by Fanny Burney, published, 1782. Charles Waterton, naturalist, born, 1782.



- 17 Igor Stravinsky, Russian composer, born, (O.S. 5th), 1882.
- 21 Rockwell Kent, American painter, born, 1882.
- 25 Joachim Raff, German composer, died, 1882.
- 29 Joseph Hanson, architect and inventor, died, 1882.



JULY

- 8 Percy Grainger, Australian composer, born, 1882. Hubert Knight Browne ("Phiz"), artist and book illustrator, died, 1882.



Sinking of the Royal George

- 27 Sam Goldwyn, American film producer, born, 1882.
- 29 Sinking of the Royal George at Spithead, with an estimated loss of 800 lives. Australia acquired The Ashes in beating England by 7 runs at the Oval, 1882.

- ## SEPTEMBER
- 7 Susan Ferrier, Scottish novelist, born, 1782.
 - 16 Edward Bouverie Pusey, divine, died, 1882.
 - 19 John Wroe, founder of the Christian Israelites, born, 1782.
 - Richard Lower, poet, born, 1782.
 - 29 George Buchanan, historian, died, 1582.

- ## OCTOBER
- 1582 William Juxon, Archbishop of Canterbury, born, 1682. MacFlecknoe by John Dryden, published.
 - 4 St. Theresa of Avila, Spanish nun, died, 1582.
 - 5 Spain and Portugal became the first countries to adopt the Gregorian calendar, this day becoming October 15, 1582.
 - 6 Karol Szymanowski, Polish composer, born, 1882.
 - 8 Harold Armand Moody, founder of the League of Coloured Peoples, born, 1882.
 - 14 Eamon De Valera, President of the Irish Republic, born, 1882.
 - 19 Sir Thomas Browne, physician and writer, died, 1682.
 - 24 Dame Sybil Thorndike, actress, born, 1882.
 - 27 Niccolò Paganini, Italian violinist, born, 1782.



Dame Sybil the amateur

- ## NOVEMBER
- 9 Percy Wyndham Lewis, writer and painter, born, 1882.
 - 18 Jacques Maritain, French philosopher, born, 1882.
 - 21 Claude Lorrain, French Painter, died, 1582.

- ## DECEMBER
- Two on a Tower by Thomas Hardy was published, 1882.
 - 3 Archibald Campbell Tait, Archbishop of Canterbury, died, 1882.
 - 4 The Law Courts, Strand, London. Designed by George Street, opened, 1882.
 - 5 Martin van Buren, 8th President of the USA, born, 1782.
 - 6 Jen Charles Blanc, French socialist, died, 1882. Anthony Trollope, novelist, died, 1882.
 - 9 Joaquin Turina, Spanish composer, born, 1882.
 - 11 Max Born, German physicist, born, 1882. Llewellyn AB Gruffydd, Prince of Wales, killed in battle, 1282.
 - 16 Zoltan Kodaly, Hungarian composer, born, 1882. Sir Jack Hobbs, cricketer, born, 1882.
 - 23 James Gibbs, Scottish architect, born, 1682.
 - 28 Sir Arthur Eddington, astrophysicist, born, 1882.

Singapore holds 10 for plotting

From David Watts, Singapore, Jan 10

The Singapore authorities have arrested 10 members of an alleged clandestine group suspected of planning to overthrow the Government by force, according to an official announcement.

All 10 have been held under the Internal Security Act, which provides for indefinite detention without trial. The group, which includes members of the opposition Workers' Party, had allegedly planned to solicit support from foreign powers including manpower and finance.

The Workers' Party won a by-election at the end of October to break the People's Action Party's monopoly hold on the Singapore Parliament for the first time for 16 years. The group is said to be led by Mr. Zantul Abidin bin Muhammad Shah.

Those arrested belong to a group called the Organisasi Pembebasan Rakyat Singapura or the People's Liberation Organization of Singapore, according to the Government announcement.

At least two of them were arrested after they tried to distribute pamphlets containing alleged seditious statements during a Muslim rally at the Singapore National Stadium on Saturday, to mark the birthday of the Prophet Muhammad.

The Government statement said that to achieve its objective, the group planned to create communal unrest by distributing pamphlets and carrying out acts of arson.

China steps cautiously in Hongkong

Hongkong, Jan 10.—Chinese leaders are studying the problem of Hongkong's lease to Britain, but do not wish to take any steps harmful to the colony, Mr. Humphrey Atkins, the Deputy Foreign Secretary said here today.

Speaking after a four-day visit to China, Mr. Atkins said Chinese leaders recognized the need to solve the issue of the lease, which expires in 1997 leaving most of Hongkong's territory under Chinese rule.

"Now, it is very clear to me that they are addressing their minds to this problem and they recognize that it is not possible simply for everybody to do nothing," he said.

Chinese leaders would consider the economic advantages of Hongkong as a financial centre in deciding its future. "They did, in fact, say that the prosperity of Hongkong must not be damaged and that they would not want to do anything like that," he said. He later flew to Seoul, for a four-day visit.—AP.

The Hongkong authorities have been warned by 120 newly-arrived refugees from Vietnam that a fresh exodus can be expected when the weather improves (Richard Hughes writes). The new arrivals, mostly young Vietnamese, who caused surprise by their arrival last week, told Hongkong camp authorities that living conditions in North and South Vietnam were becoming worse. "Nine out of 10 want to leave," one refugee from North Vietnam said.

Asked about this, Bishop Ding said the facts would be made clear at the trial. He added: "I don't think we have the right to assume that no religious person may be put in jail."

Dr Runcie said in a prepared statement that Chinese Christians should be free to work out their own form of "Christianity with a Chinese face," he referred to the persecution of believers in the Cultural Revolution as "painful and difficult."

Protestants in China, including Anglicans, have been amalgamated into a Christian Council, which proclaims the ideals of "self-government, self-support and self-propagation." Only some minor denominations have refused to join.

There was no doubt about the piety of the people attending today's service. The majority were elderly women. But there was a fair sprinkling of men and several score young people.

1,000 at a Nanjing Matins

From David Bonavia, Nanjing, Jan 10

Runcie on bridges and Bibles

A Chinese Christian woman wiped tears from her eyes here when Dr Robert Runcie, the Archbishop of Canterbury, talked of the role of the church as a bridge among nations. He was speaking at a tea party held in his honour yesterday.

During a two-day visit, originally intended to be a private one, he visited the local seminary, went sight-seeing, and had talks with Bishop Ding Guangxun of the diocese of Nanjing. After celebrating holy communion privately at the guest-house here, Dr Runcie left for Hongkong too early to attend matins, which was conducted by a Chinese woman pastor before a packed congregation of about a thousand people.

Services are also held on Saturdays to meet public demand and to accommodate Christians who have to work on Sundays.

At the tea party Dr Runcie and his party were entertained by a Chinese girl playing the accordion, a

Roger Boyes sends his first report from Warsaw since censorship was lifted

Disentangling the cold truth about Poland's internees

What is the truth about internment in Poland? What has happened to the thousands of people picked up by the police since the introduction of martial law a month ago? Nudged into a response by the defection of Polish ambassadors who strongly criticized the internment policy — the government has issued a crop of facts and figures.

Unfortunately these facts and figures do not tally with estimates made by western embassies or the Church. How is one to establish the truth in a country that does not allow foreign correspondents to leave the capital, that has cut off the telephone system and makes the spreading of "false information" a criminal offence punishable by up to eight years imprisonment? The answer seems to be that people stop asking questions like "what is true?" at least as public — and choose instead to believe even the wildest rumour rather than the government version.

Here are two versions of what is happening. The first, from Poles, most of whom are either Solidarity activists or people fundamentally in sympathy with the aims of Solidarity and the political reform movement as a whole.

The government declares that there are "only" 5,069 internees, some of whom are being released.

They are, the government says, kept in basically good conditions and allowed food parcels and visits from their families; work in their camps is voluntary and its only objective, as Mr Jerzy Urban, the government spokesman, put it recently, is to "break up the monotony of the day". There is no question, he said, of anybody being accommodated in tents or in the open.

Some internees are free to go after signing a document saying they will "discontinue this participation in anti-socialist activities". The declaration is thus partially an admission of guilt and violation of its terms could theoretically lead to re-arrest — for anti-socialist activities — and formal charges.

The diplomatic and Church view differs fundamentally from this. At least two embassies, assisted by rare consular trips to the provinces, have come to the conclusion that some 15,000 people are being detained. This, they say, is a conservative estimate and is a stable figure, taking into account that while some people are being released, others are being arrested. The Church, which has taken over responsibility for feeding some of the internees, believes there are more than 15,000, though it has not given a figure.

The Polish episcopate has claimed that conditions in some of the camps are bad — many

cells are unheated (the temperature at the time of writing is minus 12 degrees Centigrade). The detainees are often inadequately clothed (a number were arrested in their pyjamas), conditions are crowded and little water is available. Two eyewitness accounts made available to me at least partially support this picture.

Before Christmas the Church had a further complaint: it had about 500 food parcels to deliver but the authorities had allowed the delivery of only about 50. The situation has eased somewhat since then and few complaints have been received about food shortages — the internees are issued with meat coupons which are handed to relatives who can supply the food needed to supplement the iron rations. Some people are also being issued with clothing coupons but these are of only limited value because of shortages in the shops, with or without coupons.

The gulf between the two versions seems on the face of it to be irreconcilable but it is possible to explain at least some of the discrepancies. First, the government version accounts only for internees — that is people who have been rounded up, but not charged under martial law. The government spokesman more or less admits that conditions have been arrests over and above the

internments but seemed to indicate that the number was in the hundreds rather than the thousands.

But PAP, the official news agency, daily reports the arrest of strike organizers and Solidarity activists, giving the impression that a large number of people are involved. It is thus conceivable that the diplomatic estimate of 15,000 includes internees, those detained pending investigation into specific charges and those arrested and formally charged.

Second, it is clear that internees are being held in widely different conditions. Those for intellectuals and Solidarity leaders seem quite reasonable. The Solidarity leaders held at Strzebielino, near Gdynia, are allowed one visit a month and live in a room; but they are in good spirits, argue constantly about the future of the movement and are said to have demoralized four

warders so profoundly that they have requested transfers. Mr Lech Walesa is said to be under house arrest outside Warsaw; he has access to colour television and is regularly visited by a priest.

Other internees, however, are being treated abysmally, as many priests have testified. It is impossible to confirm stories of cold water being poured over prisoners but some internees were certainly beaten up when arrested and many need warm clothing. Mr Urban conceded at a recent news conference that "some internees may have forgotten to bring clothing".

Conditions then may be tolerable for some and bad for others. Without leaning too far towards the government position, it is clear that there has been a degree of exaggeration in word-of-mouth descriptions of internees' conditions. The government, however, has brought this down on itself. A wife whose husband does not arrive home, would normally be calm, but the weather is bad, the transport system at best haphazard, petrol in short supply. But without a telephone, relatives assume the worst and pass their fears on to their neighbours. By the time the husband safely arrives, having perhaps been caught in a snow-drift, he has already become a statistic on the rumour chain.

But, in the absence of credible, checkable information, rumour fills the news vacuum, that is how figures like 50,000 — the most dramatic estimate of internees Poles — come into being. Most western military experts contend that the army and the militia are still too stretched to guard and feed that number. Yet even if the true figure is closer to

Solidarity activists in a detention centre near Warsaw. For them conditions are reasonable, but not for thousands of others

15,000 or 5,000, the Polish government still has a case to answer. That is a lot of people to hold without trial.

The Military Council clearly believe that some suppression of human rights is a necessary precondition of stamping out potential political opposition, restoring "law and order" and putting the economy back on its feet. But the immediate western response has shown that it stands to lose more than it gains by keeping these people under lock and key. It was upset by the Vatican attack on the internment policy and seriously worried when Henryk Jablonski, General Secretary of the West German Foreign Ministry, made exactly the same criticisms. Poland needs West Germany at the moment for Bonn is the key to maintaining a dialogue with its western creditors and keeping the doors open to West Europe at a time when the US administration is leaning on Moscow and Warsaw.

The Council may be tempted to justify its round-up by staging show trials and charging the Solidarity leaders with organizing a coup attempt, the standard account of events in the official media. But Solidarity at its high point consisted of 10 million members, only a fraction of whom are interned: the Council needs a way of talking these people into returning to work.

Show trials will not achieve that. Only a quiet admission that internment was ill judged, a recognition that even the army has its limitations and the release of the five or 15 or 50 thousand will convince the Polish people that it is possible to talk to the Council and not just curse it.

Dear commuter . . .

The public will be aware from media coverage that Aslef has recently instituted industrial action, having instructed its members on British Rail to refuse to work voluntary overtime and rest days and not to book on for duty on January 13 and 14. However, because of many misleading reports which have been circulated, I feel, as general secretary of the Society, that in the light of the important issues at stake, there is a need to set the record straight. Let me therefore present the facts.

Negotiations on the 1981 pay round for railway staff were due to be completed in time for new rates of pay to be introduced as from April 1981. The offer then made by the British Railways Board to the three railway trade unions was totally unacceptable; after a breakdown of negotiations at the Railway Staff National Council, the industry's senior negotiating body, all the unions decided that the pay claims should be referred to the industry's independent arbitration body (the Railway Staff National Tribunal), which sat on June 8, 1981, under the chairmanship of Lord McCarthy.

The outcome was an award by the tribunal for the rates of pay of railwaymen/women to be raised by 8 per cent from April 20, 1981, with a further increase of 3 per cent from August 1, 1981. All three unions accepted the arbitrator's findings, even though the award was substantially lower than the claims submitted, but the British Railways Board took the unprecedented step of stating that they were not prepared to introduce the pay recommendations.

Subsequently, following discussions between representatives of the Board and the unions at the Railway Staff National Council on August 2, 1981, it was decided that, in the light of the Board's intransigence, industrial action should be instituted.

After this decision, the Advisory, Conciliation and



An open letter from Ray Buckton, general secretary of Aslef

Arbitration Service intervened. Prolonged discussions between the Board and the parties concerned resulted in two separate agreements on pay and on productivity.

The agreement on pay was in line with the award of the national tribunal: an 8 per cent increase from April 20 and a further 3 per cent from August 1981. This agreement was specific and unconditional, and this is supported by the fact that the British Railways Board later issued management circulars instructing how the new rates of pay should be implemented; for instance, circular letter No 121 dated September, 1981, which informed staff of the arrangements for the payment of the 3 per cent from January 1982 (backdated to August, 1981).

A separate understanding on productivity provided for discussions to be resumed within the railway negotiations machinery, which for footplate staff is the locomotive section of the Railway Staff Joint Council. This is the accepted method by which both management and unions may pursue to a higher level their disagreements.

Aslef have attempted to use this procedure to discuss the issue with railway management, but the BR Board

have consistently refused to use this machinery. Instead it has unscrupulously tried to bind the two separate issues together, despite the Acas agreement.

Recent developments in the dispute are that on December 23 the BR Board told the rail unions that because it considered there had not been sufficient progress on certain productivity matters, it would not pay footplate staff the agreed 3 per cent increase. This has resulted in the present situation.

The Board's totally unprecedented move to dishonour the settlement gave Aslef no option but to take action to safeguard its members' interests.

The Board's action was, to say the least, disreputable and brings into question the validity of the industry's negotiating machinery, which, having followed the stated procedures and failing to reach agreement, resorted to its claims for independent arbitration and conciliation.

The BR Board has unilaterally engaged on an agreement, using as a pretence for its action Aslef's alleged refusal to make progress on productivity, particularly over the issue of flexible rostering, which would bring about the elimination of a guaranteed eight-hour day, a principle enjoyed by most British workers.

Finally, let me state that Aslef is willing to enter into constructive talks at any time to end this dispute.

I have written this letter to some length so that you may have a better understanding of the issues which divide Aslef and the BR Board. There is a clear attempt to blackmail Aslef into agreeing to arrangements which would not be acceptable to its membership or indeed to most British workers.

I am therefore sorry for any inconvenience suffered by commuters, though I feel sure that having considered what has been said in this letter, there will be a better understanding of the issues. Yours sincerely, Ray Buckton

A married man of 29 raped the 15-year-old who was baby-sitting for him. His good record and position in the community persuaded the judge to suspend his sentence.

The appeal court took a different view. The judge had considered only the interests of the accused; he had neglected the impact of the experience on the girl, and the duty of the court to deter others. An effective sentence of three years imprisonment was substituted.

This case was tried in Ontario, in England the original sentence would stand. Almost every decision which an English judge makes is subject to appellate review, with one exception. An excessively lenient sentence, which fails to reflect the public interest, cannot be challenged in a higher court.

The only appeal is to public opinion, denunciation in the press, and demands for the removal of the judge take place of the dispassionate analysis of the facts and the reasons for the judge's decision which a review in a higher court would provide.

The case for a change is demonstrated not merely by those apparently lenient sentences which capture the attention of the public and which, left unexplained, weaken confidence in the legal system — a fine in a case of rape, a suspended sentence in a tax fraud involving millions, or relatively short terms of imprisonment for the manslaughter of a young man whose unconscious body was put in a river.

Many less well-known cases daily illustrate the deficiency of the law. The most popular argument (with appeals in sentence appeals is desperately the public interest, not his sentence is too severe by general standards, but that his co-defendant has received an unusually lenient sentence, and the difference in their treatment is injustice. There is no satisfactory answer — the appeal court can correct one disparity only by creating another.

After the rape fine, the case for changing the system

by David Thomas

Another common problem is the dangerously unstable offender who has received a determinate sentence: from which he will be released by a fixed date, rather than the indefinite sentence which would have authorized his detention until he can safely be discharged. There is no way such a sentence can be corrected.

Why is legal opinion generally so firmly against the idea of a prosecution appeal on sentence? None of the arguments against the proposal stands up to close analysis.

● A prosecution appeal on sentence would be a form of double jeopardy. This is unconvincing — a prosecution appeal from a jury's verdict of not guilty would be a different matter.

● A prosecution appeal would subject the defendant to a further period of anxiety and stress after his trial is over. This is true, but the defendant is not the only one with a legitimate interest in the outcome of the case. The present system leaves the grievances of the victim and the general public unresolved indefinitely.

● Why should it matter if a few excessively lenient sentences are passed when so many crimes go undetected? This misses the point: the sentence of a court is a formal value judgement on the conduct in question, which may set standards or attitudes throughout the community.

● The prosecution has no responsibility in sentencing and therefore it would be inconsistent to allow the prosecution to appeal. This is the least persuasive argument of all, confusing as it does the role of the advocate for the prosecution in court with the responsibility of the prosecuting authority. Consider for the moment the submissions on sentence, but the whole purpose of a criminal prosecution is to secure the imposition of a sanction on the alleged offender. At every stage in the process, the choice of charge, the choice of mode of trial — decisions made by the

prosecuting authority are based on an assessment of the gravity of the alleged offence and the likely penalty in the event of conviction.

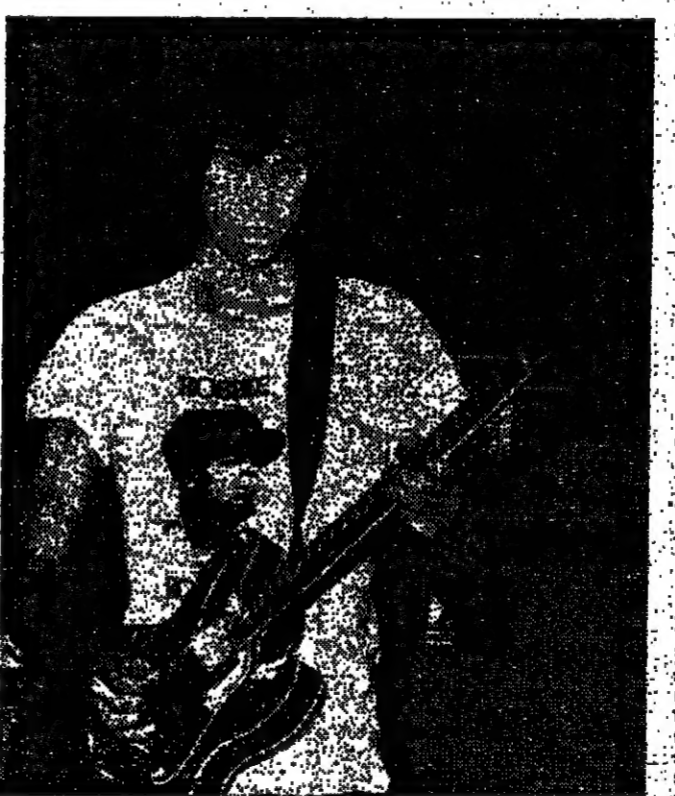
There would be no inconsistency in allowing the prosecuting authority to apply for leave to appeal against sentence, and such a change need not affect the role of counsel for the Crown in the court of trial.

● Allowing the prosecution to appeal would lead to longer sentences, when prisons are already grossly overcrowded and judges are constantly urged to pass the shortest sentences possible. The converse is true — appeals by the prosecution are more likely to lead to wider use of non-custodial measures. The case law of sentencing in England, although rich in detail, is weakened by its concentration on sentences of imprisonment. Decisions on such measures as probation are few and far between. In a system which allows an appeal solely to the defendant, only the more severe sentences will be challenged, and the development of principle will be limited to them.

Nine years after the introduction of community service orders, appellate decisions examining their use can be counted on the fingers of one hand. A challenge by the prosecution to such an order made by a trial court would provide a useful occasion for an authoritative discussion of the relevant criteria.

An Ontario court suspended the sentence on a pop hero convicted of possessing heroin on condition he gave a concert for charity and underwent treatment. The sentence was challenged by the prosecution, but the appeal court upheld it, saying the accused's efforts towards rehabilitation outweighed the need for a general deterrent. What might have remained no more than an isolated decision of a trial judge became an authoritative precedent for future cases.

David Thomas is the author of *Principles of Sentencing*. © Times Newspapers Limited, 1982



Pop singer Keith Richard . . . his case helped set a legal precedent.

Streisand tipped to star in The White Hotel

Mr D. M. Thomas, whose admirable novel *The White Hotel* was one of the runners-up in last year's Booker Prize competition, is off to the United States tomorrow for a six-month spell teaching "creative writing" and modern British poetry and fiction at the American University in Washington DC. Over the weekend he later told me that apart from taking the opportunity to promote the American sales of his book, which goes into paperback in March, he also hopes to talk to multi-millionaire land developer turned film producer, Keith Barish, who has bought the film rights to *The White Hotel*.

Barish produced *Endless Love* which was directed by Zeffirelli and starred Brooke Shields, and also owns the rights to William Styron's *Sophie's Choice*, in which Meryl Streep will play Sophie. Thomas tells me that there is a persistent and, he hopes, "well-founded" rumour that Barish Streisand will play the role of his book's heroine, Lisa Erdman, a half-Jewish opera singer. "I believe that Miss Streisand got very interested about the possibility of playing the role very early on," he said. "She appears to have seen it as a new development for her."

Science practical

I have now had quite a few letters from distinguished academics, and one from a Bishop, with their

THE TIMES DIARY

Capitalizing on its central role in reporting the Polish crisis, the Government is submitting a multi-million pound plan for revitalizing its monitoring service of foreign broadcasts. The service, based at a millionaire's converted mansion at Caversham in deepest Berkshire, has undergone little change since it was founded there early in the second World War. It is funded directly by the Foreign Office which like the BBC newsrooms, has immediate access to its round-the-clock transcripts of

views about practical insights delivered by the social sciences, and I hope to give space to several of them during the week. For today, however, I bring you a mini-scoop what is described as "a first tawdry" from within the Social Science Research Council's own office.

This is not a corporate entry, as it were, from the council itself but I gather that there has been some discussion in the SSRC office among staff and academics on how social science can be measured within its constraints.

● A child care, the work of John Bowlby, consultant psychiatrist at the Tavistock Clinic or 25 years, which has demonstrated the importance of the very early years of child care. ● In economics, W. E. G. Salter's work on the relation between

radio output in sensitive parts of the world. Some of its material is also sold commercially to a range of clients from the media to embassies and television networks. Since the introduction of martial law in Poland, Monitoring has gained 16 new clients.

Yet partly due to its remoteness, the service has long been treated as a poor relation by its London paymasters. The new BBC proposals, which will be put before the Foreign Office in the autumn, due to modernize the system and convert it to an electronic form of distribution.

capital investment and productivity improvements in industry showed that rapidly growing industries would have a younger average vintage of capital equipment, lower costs per unit, and higher profitability. An important aspect of this finding was that wages do not necessarily increase proportionately with productivity, industry by industry.

● Christopher Foster (LSE) and Michael Beasley (London Business School), in their important work of cost benefit analysis in transport investment, helped to lay the foundation for the investment in road improvement in this country over the last decades.

● As for getting it right five years ago Birbeck College's Professor Richard Portes (whose theoretical and econometric re-

search on the centrally planned economies has been financed by SSRC) foresaw the economic and political problems arising from heavy East European borrowing in the West, writing in 1977 that "the economic strategy chosen (by Poland) in 1971-72 is clearly compromised, and with it Poland's ability to avert debt defaulting by the end of the decade". His subsequent analysis of the Polish crisis (published by Chatham House a year ago) has significantly influenced West European policy.

I am sure that many people are simply unaware of many of these practical achievements of the social sciences and hope that, despite the relatively restricted space at my disposal, a few prejudicial may be overturned by these few paragraphs.

Quiz answers

1. Miss Kiki Rice, who ran up on to the pitch during the England v Australia rugby match, but from a position of protest.
2. At a meeting of the NEC last week the CAT and TUC called for retention of the economy.
3. The Polish authorities are hundreds of miles away from London.
4. A Polish publisher over the proposed publication of shipping services blocked the publication of the book.
5. David Pridemore and John Brown were appointed as "trainers" to sort out Liverpool's discipline over the division of seats.
6. Lord Greville's Associated Communications Corporation is facing a battle with shareholders over compensation to be paid to the dismissed managing director.
7. The first British-built Talbot Marston was completed at Coventry last Monday.

Candice amplifies

Despite being stranded in the snow near Bedford, rescued, having to break into my country house because the locks had frozen, and then having to dig my car out of the drift yesterday, the most disconcerting part of the weekend was, without doubt, lunch with Candice Bergen and Placido Domingo.

Close up, both these stars are even more shimmering than a field of virgin snow — warmer, too. By mutual agreement we didn't talk about Miss Bergen's new film, *Rich and Famous*, which opens this week and in which she stars with Jacqueline Bisset. Miss Bergen (who is also, of course, Mrs Louis Malle) has spent the week talking about the film with lesser mortals and had had enough. Once again my pairings of two quite different stars was fortuitous — they had been dying to meet one another for ages — so I just sat back, tucked into the Mirabelle's mouth-watering *gnocchi*, and listened.

Miss Bergen has no films on the horizon — or even one at Living on Central Park South, in New York, she is enjoying her (relatively) new marriage and trying to finish a book about her father, Edgar Bergen, the famous ventriloquist. The research for this has made her something of an expert on vaudeville and, in between oysters, she gave me the run-down on crooning. I didn't know, for instance, that this particular type of singing began because in America the early microphones were very shaky affairs and too many loud or high

notes ruined them. Apparently, as one point singer even put impish over the microphones when using them to help protect the delicate instrument from the strident voices. What with the masking effect of the shades and the low voices, there was no alternative to crooning.

Her father's wooden sidekick who was called Charles McCarthy, became a household name in America and Miss Bergen got used to being asked if she was wooden too. Before long, though, she had her riposte, one from Joseph Lougher's *Peasants*: "Children need models rather than critics." Good for her.

Domingo, after inviting us all to see him and Renata Scott in *La Bohème* at the Met in February, as well as his first night in *The Tales of Hoffman* at Covent Garden a week today, told us about his film plans: He is to star opposite Julie Andrews in



A meeting of voices: Candice Bergen and Placido Domingo

The Merry Widow later this year, though apparently Miss Andrews isn't too happy with the script at the moment and admissions will be made to turn it into a play about producing *The Merry Widow*.

Domingo who, unlike Miss Bergen (and myself for that matter), is fully booked until 1985, has carefully arranged to sing in his native Spain during the World Cup in the summer. He already has tickets for five games and so the talk naturally turned to soccer, then to American football, then to baseball.

Apparently Mr Domingo is one of the few opera stars to have performed at the New York Yankee stadium, where he tried to show them how to sing the American National anthem *God Bless America*. He says it can be sung in this way — then proceeded to demonstrate. You can guess what happened: a microphone cleverly hidden in the lampshade shattered or all left rather hurriedly. Mr Domingo has a rehearsal, Miss Bergen went off to the BBC and I had my appointment with a Gloucestershire snowdrift.

Soft cell

David Wolfe, the wine writer, has sent me these instructions which he found on a tube of Elnett Satin hairspray: "Spray from a distance of about 12 inches so as to ensure even distribution throughout the hair." He decided it must be for people who have had their brains washed and can't do a thing with them.

Peter Watson

THE ARTS

Television 'Omnibus' driven in the wrong direction

The great difficulty about aiming at everybody is that you can end up by hitting nobody. The two fundamental questions in communication must surely be: What am I trying to say? and, should the answer appear worthy of promulgation, Who am I talking to? I do not think Omnibus (BBC 1), which might do well not to take its title too seriously, has asked itself either.

Last night it made a tentative, almost timorous start, with Barry Norman, having possibly felt over-enthusiastic about films, looking extremely ill at ease with his metamorphosis, not even appearing to have much faith in his quips, suspecting perhaps they belonged somewhere else. Well, these are early days, but I think he might have to change his philosophy. A somewhat gaudy article in Radio Times, more an apology for his apprehensions than a definition of an attitude, has him saying that the common factor between nearly all arts is that they are designed to entertain. They are not. Art primarily fulfils the artist; applause is secondary — there is the line between art and commercialism.

He is wrong, too, in quarrelling with the description "Arts programme", which, he is said to think, makes many people automatically reach for the off switch. They may do at first but, if the programme is good, word will get around and the switches will go on. Not, however, if the programme, which is edited by Christopher Martin, continues in last night's style and format. Frankie Howerd, for instance, is a very funny man, and it may titillate the box-office, but his play *Frosch* in *Die Fledermaus*, but it does not do a lot for anyone interested in opera to watch him do a bit of slapstick with Richard Baker and then a further stunt with Barry Norman himself.

La Ronde, we know, is going the rounds now that it is out of copyright. The Royal Exchange, Manchester, were first away, with the Royal Shakespeare Company and Sheffield and BBC Television to come. *Omnibus* tried too much here: a genuflection towards Manchester, a historical survey with Hugh Frank, and a chat with John Barton who, I thought, might have been quite adequate on his own with maybe a clip from the Max Ophüls film and a little of the RSC production.

Then there was Rick Wakeman swinging between those organs and seeming to



Norman: ill at ease

be telling us that the musical version of Orwell's 1984, which he is doing with Tim Rice, might have a happy ending (start rotating George) though it was really in Tim's hands. This was followed by Edward Heath, former Prime Minister, well-known sailor, author, choir conductor and now revealed as an enthusiast for Japanese art, whipping round the Great Japan Exhibition trailed by Norman. I had a vague feeling that Heath, who is splendid in every way, was not just there because of his primacy in the field.

So not a good *Omnibus* then but, with 18 to go, good wishes. Attitude first. I would think, then content, then format and forget about what he does not know, then he should be a reporter. King's Royal on BBC1, in ten parts, looks from the first like being a real dish of Sunday night cold porridge, one of these tedious rich family sagas. Tom Bell, who has my sympathies, appears as the Scots family's head, self-made, self-opinionated, with sentiments which, though the series is set around 1874, reminded me of Ian Paisley. Bell is Fergus King, a mean-minded grog-house tycoon in conflict with his son who, God help and save us, wants to marry a Catholic, and everybody else the kind of man who brings Christianity into disrepute. I cannot imagine how he will end up, but I will not be with him.

Yorkshire Television's Sunday Best aims to put a sparkle in 14 of our Sunday evenings with what appeared from this first programme to be jocular Christianity. It is presented by Frank Topping with Donald Swann and Marian Davies and may undergo change as it progresses, but I could not sing along with this one though, as may be apparent, I could have done with a sparkle.

Dennis Hackett

Cinema: Ivor Davis reports on the controversy over Hollywood's version of a BBC serial Rebelling against American pigeon-holes

"Pennies from Heaven is a hopelessly esoteric big budgetter... a lugubrious, neo-Brechtian musical exercise of notable pretension and virtually no artistic payoff." — *Daily Variety*.

"Pennies from Heaven is so startlingly original that it leaves you open-mouthed and a little dazed... it's the movie of the year." — *Los Angeles Herald Examiner*.



Steve Martin, with Bernadette Peters, going against his image in "Pennies from Heaven"; and (below) the director Herbert Ross

Dennis Potter professes no surprise that the \$19m movie version of his nine-hour television serial *Pennies from Heaven*, screened by the BBC in 1978, is so violently dividing the American critics. *Time* magazine hated it. *Newsweek* raved and so did Pauline Kael in *The New Yorker*. The *New York Times* liked it — and the Hollywood trade papers worked themselves into a venomous frenzy about it.

The first public reaction to the film, which has just opened in the United States, appears cool. Both Potter and the director, Herbert Ross, whose films include *The Turning Point* and *Midnight*, agree that the picture will need careful nurturing if it is to be accepted by filmgoers in America.



Potter: no compromise

Potter has translated his British tale of Arthur Parker, the libidinous West Country song-sheet salesman, to depression-era Chicago. The story remains essentially the same — that of a man with an unsatisfying existence who lives in a fantasy world where life is like the words of the Tin Pan Alley songs he peddles, while his real existence descends lower and lower into the depths.

In the movie version Arthur dreams on a large Hollywood scale with Busby Berkeley chorus-lines and casts of thousands. It is a far cry from the simple, effective, small-screen British version. But, says Potter, deliberately so. "English fantasies", he says, "are dreamed on a more intimate scale. Such an approach would have ruined the film. You had to relate directly to the American way of thinking and dreaming, to Astaire and Rogers and the big movie musicals which would have been an American Arthur's frame of reference."

But if Americans, as Potter suggests, dream bigger dreams, they also tend not to like surprises. And this is the biggest source of the difficulties US audiences are likely to have with the film.

At a screening in Los Angeles I recently attended one woman was positively outraged. "It's disgusting," she said, apparently referring to the picture's mixture of blunt sexuality, which some Americans have perceived as aberrant, and the musical genre which sets them up to expect roses and rainbows. "There's not even a

story," she continued. "And they spent all that money."

That reaction does not surprise Potter. "Anything that mixes categories, is not on the right shelf, doesn't have the right price or come with the right ribbon, will throw some people. Americans like things to be ruthlessly categorized. But unless there's a place for films to mix categories, cross lines, break new ground, then film as an art form becomes totally moribund."

Fully aware of the difficulties the film presents, MGM, the home of sugar-and-spice musicals from the era of Garland and Gene Kelly, are carefully trying to condition the public not to expect the film to be an updated version of the Bing Crosby-Thirties musical of the same name.

What may be confusing audiences still further is the fact that Arthur is played in the film by Steve Martin, whose reputation in America is that of a clean-cut and original comedian who appeals to a mainly under-25 audience. He could not be further from Bob Hoskins's Parker in the British version.

Potter finds Thirties Chicago an apt locale for the story and comments: "With the film version I started again with page one, scene one. I knew I had to cut away three-quarters of the original. I don't think people will say 'Look what Hollywood has wrought on Dennis Potter'. They won't regard it as spoiling or evasion or compromise. It's distilled but it's all there. It's not a Hollywood



botching of the original. I proudly stand by both pieces. The Hollywood nightmare didn't happen to me."

Ross, whose wife Norah Kaye found the project almost by accident when visiting England, says: "No one has ever attempted to treat musicals in this fashion. Even Dennis is unable to define the precise genre. It's a morality play, and deeply Christian — a very serious piece of work, the most ambitious and difficult film I've ever undertaken."

At first even Ross had trouble finding a studio willing to finance the picture. "Some admired the

quality of it but they felt it was dangerous material," he says. "It deals with painful personal issues, death, adultery, the murder of a young girl and suicide. It's very, very black."

Potter is convinced the film will find its audience in the long run. "How people divide on it is important to MGM," he says, "but not to me. Some films everybody bubbles about and forgets a week later. This one is not as sweet on the tip of the tongue immediately as most musicals. It's the difference between lemonade and Burgundy. I think it will stay in the minds longer than most films do."

Opera

Audience scorned

The Beggar's Opera

Drill Hall

There are, we know, problems in playing *Gay* right. But I cannot accept for a moment that what is being presented by Opera Factory London constitutes any kind of attempt to realize what

The Beggar's Opera is and what it might mean. David Freeman's production is, rather, an exercise in self-indulgence which happens to take *The Beggar's Opera* as its motif.

Under the excuse of pointing the satire, if the anonymous programme note is to be believed, the thing is heaved partly out of Georgian London into a vaguely contemporary no-man's-land. Most of the songs remain like fossils from the eighteenth century, prettily decked out for a baroque chamber group, but others have been converted into gaggy, fully weak and silly synthetic rock. Of course the idiocies of this production, intoxicated as it is with itself, do not end there. We have a water-pistol fight. We have mimed sexual practices intended, no doubt, to show us how marvellously cynical and uninhibited this production is, but emphasizing instead that all the gratification is for those on stage.

In the central role of Macheath — one of the lucky ones serviced by the whores, incidentally — Mr Freeman chooses to star himself. He does so with the carelessness of one who does not need to conserve his reputation as singer or actor. He does so, too, with an almost continual expression of distaste, which I interpret as directed not only at the work in which he is involved but also at his audience, for surely, whether as performer or as producer, he has no high opinion of our intelligence.

The rest of the cast are as abysmal as they have to be. The instrumentalists of the Endymion Ensemble, guided from the harpsichord by Paul Daniels, are pleasing when they are allowed to be. And really I cannot bring myself to think any more about this obnoxious piece of exhibitionism.

If London is to have an "opera factory", then I hope its future products have more in common with the overwhelming *Punch and Judy* which William Mann reviewed last week. David Freeman has said much about changing the face of opera with his ensemble, and one must wish him well. Opera has always stayed pretty much the same. But, for heaven's sake, its potentialities and its limitations need to be taken seriously.

Paul Griffiths



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Concerts

Virtues of musical intensity

Lindsay Quartet

Queen Elizabeth Hall

Peter Cropper, leader of the Lindsay Quartet, thanked us on Friday for turning out on an inclement evening, but it would be a dull heart that did not venture a little snow for the sake of Schubert's Trout Quintet, that monument to pure musical enjoyment (and a fish that slipped through Anthony Burgess's net the other day, when he was rewriting the history of music for us all).

The Lindsay, in this shared series of new year recitals, centred on string quartets, were also offering Beethoven's op 18 no 1 in F major, first of the glorious canon, still entertainment music, although I see what Burgess was suggesting. The slow movement is more intense than was usual in Viennese classical style of the Haydn age (but there are parallels in late Mozart and Haydn), and the Lindsay made a purely musical virtue of that intensity. They took quite a brusque view of the outer movements, as if exhilarated by a country walk on just such a wintry day, the finale defiant rather than delighted.

That was in the context of Mozart's *Dissonance* Quartet, K465 in C, which had come first and which, despite the slow introduction whose grinding discords, miraculously resolved, suggested the nickname, blissfully esponses the pleasure principle.

It was given a reading of outstanding love and perception, exquisitely balanced and emotionally weighted — the slow movement perhaps an iota short on tuneful smoothness, the trio of the minuet slightly faster, unprofitably as it turned out (in tempo would have worked even better, if only they would believe in it). At this level of quartet-playing, one cannot censure, only disagree. So to the Trout Quintet, in which the Lindsay's second violin yielded place to Rodney Slatford as double-bass and Imogen Cooper as pianist. It was a joyous and lyrical, but also a discreetly adjusted, reading. Intimacy and easily bouncing rhythms were of its essence, gentle sociability rather than the lusty buzzards which are involved, but can easily be overstressed, to the detriment of the music's effortless effect.

Miss Cooper, in particular, recognized the need for discretion in a piano part largely written in octaves around the top of the treble clef; they easily glare on a modern concert grand. The cello solos, and the bass in the development of the first movement, indicated that they all subscribed to this approach, which for a while made us all imagine ourselves in a coffee-house or drawing room, not a big modern concert hall.

William Mann livelier Italian equivalent was suggested by the Caprice. Though unobtrusively inventive, both these movements were more evocative of particular ambiances than expressions of their composer's artistic personalities.

Greater adventurousness, and violence, marked the remaining accordion pieces. Nordheim's *Dinosaurius*, which includes a part for pre-recorded tape, explores many of the techniques players like Mr Conway have pioneered, while Michael Finnissy's *Stomp*, a Park Lane Group Commission receiving its premiere, took a brisk look at jazz.

Purcell Room

The spotlight turned on the trombone and the human voice for the last recital of this year's PLG Young Artists and Twentieth-Century Music series. The idea was to explore the similarities between the two, a notion made explicit in the French text which surfaces from Vinko Globokar's *Discourse 2* for trombone and tape.

Although it has little more to say than the Berio *Sequenza* which inspired it, and says it no more interestingly, John Kenny gave a compellingly virtuosic performance, pitting his wits against the tape's synthesized babel, like one best calling to another across a primordial submarine jungle. His deft manipulation of a variety of mutes in the first performance of George Nicholson's *Slide Show* gave us something to focus on in an overlong, laboured object-lesson on how the instrument functions, one which any observant brass band devotee could learn rather more enjoyably.

As the tired analogy was pressed home, a growing longing to hear the human voice itself was rewarded in Catherine Wyn-Rogers's deeply affecting performance. A vastly resonant, securely produced and warmly expressive instrument, her contralto could kindle the torrid ecstasy of Bartok's Five Songs, Op 15, or darken into a dreamlike drifting in the atonal wanderings of Berg's Four, Op 2.

Her accompanist, Stephen Betteridge, provided bright, if occasionally blurred, colouring to her laconic exhalings of Poulenc's emblematic *Bestiaire*, while Michael Finnissy played his own piano part in *Green Bushes*, a variegated dappling of light against Miss Wyn-Rogers's often breathtakingly beautiful modulation of vowel sounds through the slow, modal unfolding of its folk tale.

Hilary Finch

Max Harrison movements showed a few seams. All praise to the players here too, as again to those who supplied such elegant accompaniments (piano and mixed instruments) in four sets of Stravinsky's songs bravely sung in Russian by Elizabeth Gale with stylishly cool yet creamy-toned precision.

The obligatory Mozart of this series was the Horn Quintet, K407, with John Pigneguy irreproachable in agility and balance.

Joan Chissell

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Stock Exchange Prices

Capitalization and week's change

ACCOUNT DAYS: Dealings Begin, Today. Dealings End Jan 22. Settlement Day, Jan 25. Settlement Day, Feb 1

Forward bargains are permitted on two previous days

(Current market price multiplied by the number of shares in issue for the stock quoted)



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Halliday Simpson hearing 'soon'

By Drew Johnston

The Stock Exchange disciplinary hearings against the partners of Halliday Simpson, the Manchester stockbrokers accused of unauthorised share dealings, will be heard at the end of next month or in the first two weeks in March, according to Mr Russell Torr, a former partner in the firm and one of the accused.

He and the others named in the investigation received a copy of the three-volume report shortly after it was considered by the Stock Exchange last Tuesday. In a covering letter the Exchange gave a provisional date at which the allegations would be considered. But it was unclear whether each case would be heard separately or whether all the accused would attend the same hearing.

Although the firm has been suspended at its own request since last summer, the individuals can still be fined by the Stock Exchange if the allegations are accepted by the disciplinary committee.

The Stock Exchange has also passed its findings to the Department of Public Prosecutions, which is to consider if there are cases to answer under criminal law.

Mr David Garner, Halliday Simpson's senior partner, declined to comment on the report. None of the accused have accepted the allegations.

Gill's house option to be challenged

By Philip Robinson

The Post Office pension fund is to claim that Mr Jack Gill's option to buy a company-owned house for £100,000 below its value never appeared in the last account of his former employers.

The fund is heading 10 leading institutions in legal action to stop a £750,000 golden handshake from Lord Grade's Associated Communications Corporation.

Section 54 of the Companies Act states that any material contract between a company and its directors must be shown in the accounts.

The Post Office goes into the High Court today seeking an injunction to stop ACC paying out any cash or selling any property to Mr Gill until its petition that his compensation payoff is too high has been heard in full in February. It is likely that as the Post Office evidence was given to ACC's legal advisers on Friday, the injunction hearing could be adjourned.

If the Post Office loses the full action, it could effectively have to pay for Mr Gill's handshake itself. As part of seeking an injunction, it must agree to pay any damages to ACC which could arise out of the delayed payment.

Mr Gill's solicitor is already considering suing ACC for damages because the deadline for paying Mr Gill £550,000 compensation for loss of pension rights and selling him the house in Kingswood, Surrey, has passed. He is due to decide today whether to start proceedings.



Challengers: Michael Cassidy, pension fund solicitor and Ralph Quartano, Post Office pensions chief

Meanwhile, the Post Office will place an amended decision before the High Court this morning, the main grounds of which are that the compensation payment is too high, that no explanation has ever been given as to why Mr Gill suddenly departed after 25 years service, that the company is in breach of Section 54 of the Companies Act and that the circular asking shareholders' approval for the Gill deal was misleading on nine points.

It is understood that the

Post Office, during the course of proceedings, intend to inquire into the benefits given to directors by ACC.

The affidavit of Mr Ralph Quartano, Post Office chief executive, whose petition now speaks for 13 per cent of the non-voting shares, is also being filed with the high court today. Attached to it will be details of the house option agreement, Mr Gill's service contract and his termination agreement with ACC.

The Gill payoff has split the ACC boardroom where directors control most of the voting shares.

Golden handshakes, page 12

Torness reactor 'not needed'

By Tony Hodges

There is no need for the £1,500m advanced gas-cooled nuclear power station already being built at Torness, East Lothian, according to Dr Norman Dombey, former adviser to the Commons Select Committee on Energy.

The 73 per cent capacity over maximum peak demand produced by the South of Scotland Electricity Board rendered Torness unnecessary, Dr Dombey said. Torness would force up electricity prices in Scotland, while producing still more power which was not needed.

Forecasts for future demands and costs by the board are to be scrutinized further when Parliament resumes this month, and British Atomic's citing of high power charges from the Hunterston "B" power station as one of the factors for the closure of its Invergoron smelter means that the committee will be re-examining the case for Torness.

Figures submitted to the

committee by the board on Torness AGK suggested that £400m would be "saved" by its completion several years in advance of the need for its supply.

But the board acknowledged the figures were based on a hypothetical increase in oil and coal prices of 5 per cent a year above the rate of inflation in the years 2000 to 2012. Such a calculation was unrealistic, Dr Dombey said.

"In my view this shows the way authorities can bamboozle the public by just making crazy projections into the future in order to get their case across, even if it is an absolutely daft case," Dr Dombey, a physicist at the University of Sussex, said.

He suggested the board should make new calculations on the cost of Scottish electricity over the next 10 years, based firstly on Torness being completed as planned and then on the project being halted now and "mothballed" until required.

Mr Ted Leadbitter, MP for Hartlepool and a member of the committee, said he would be raising the question of Torness.

The committee would be considering new evidence presented by its advisers in response to a number of issues raised with the Government on the energy programme.

Mr Peter Rost, MP for South East Derbyshire, another committee member, said he had spoken strongly against the project and had given his support only because the amount of work done made it unreasonable to suggest cancellation.

His doubts were on economic grounds. The evidence had not convinced him that the electricity produced would be competitively priced and that it could not be achieved, there was little point in the station.

The electricity board said the closure of the Invergoron smelter had been dis-

cussed and there was no question of Torness being stopped. It remained the Government's view it would be needed to meet future demand.

"Torness is necessary, sensible, worthwhile and in the simplest terms one of the best ways we can see of holding stable future tariffs for all our 1.5 million consumers", the board said.

There was overcapacity at present, in common with all other power stations, but that was necessary to meet all reasonable demands.

It also meant supplies being taken from the most efficient, and therefore most economic, plants.

Torness being a long-term project had to be looked at in the long term. If Dr Dombey produced figures of his own, the board would examine them.

Although nuclear power stations were dearer to build than coal or oil stations, the electricity they produced was cheaper, he said.

Talks may cut trade imbalance

From Bailey Morris, Washington, Jan 10

Leaders of the leading western trading nations met in Key Biscayne, Florida, this week to try to settle some of the increasing trade differences which could unleash a new wave of protectionism, similar to the one which helped spark the Depression in the 1930s.

The Japanese have twice postponed the talks, fearing that the United States and Europe would join forces to oppose exports from Tokyo.

The meeting, which was originally billed as trilateral talks between ministers of the United States, the EEC and Japan, will also include members of the Canadian government, which asked to be represented.

Despite the high level nature of the talks, it is unlikely that they will produce any concrete results. A member of the American delegation said that if the talks result in tough and frank exchanges which convince participants the West's trade differences are now dangerous, they will have accomplished something.

Transatlantic steel trade, the West's mounting trade deficit with the Japanese, European agricultural policies, export subsidies, United States trade sanctions against the Soviet Union, and Canadian energy policies.

The Ministers will concentrate on broad questions such as Poland, possible control over the high technology goods and ways to defuse growing political pressures for protectionist trade policies.

As unemployment mounts in the United States, car, steel and other industries are reporting growth for a wide range of protectionist proposals.



Pricing beer: higher charges on the way

Brewers to charge 2p more for canned beer

By Derek Harris, Commercial Editor

Prices of canned beer sold through supermarkets are likely to rise, probably next month. There are strong indications in the trade that the rise, the first for a year on almost all lines, will be at least 2p on a large can.

The cheap offers on canned beer seen in the supermarkets before Christmas are also expected to dry up, at least for the time being.

Some of these have been virtually wiped out the 4p increase on large cans which the brewers added in February last year.

Final decisions on the scale of rises do not yet appear to have been made by the brewers which face the problem of protecting profits despite the threat of further declines in beer sales.

The National Union of Licensed Victuallers is worried that some brewers might gear up rents of their tied pubs in order to improve returns.

A price increase on cans in line with last year is being discounted because of the increased spare production capacity bedeviling the brewers. Sales into the supermarket and the free trade — largely clubs — at low prices have been seen as a way of mopping up some of the spare capacity.

But an increase in some free trade prices as well as on cans has been forecast by Mr Colin Mitchell, drinks analyst at E. Beckmaster & Moore, the London stock brokers. He forecasts a 5p rise on beer this year.

Boeing presents new 757

From Edward Townsend, Seattle, Jan 10

The Boeing 757 jet, the second of the American company's new fuel-efficient airliners of which 19 have been ordered by British Airways, is due to be rolled out of its assembly hanger here on Wednesday.

Sir John King, the chairman of British Airways, senior executives of Rolls-Royce which is to supply newly designed RB211 engines for the first batch of 757s, and leaders of other leading airlines and suppliers are to witness the ceremony.

The making place just five months after the roll-out of the larger, 270-seater 767 for which 173 orders have been received.

Boeing, the world's largest jet builder, is investing more than \$2,500m (£1,315m) in the two aircraft and in developing a new, improved version of its top-selling 737-seater 737. Orders for the latter now stand at 990 of which 730 have been delivered.

The short to medium range 757, with between 180 and 250 seats, is directly in competition with the Airbus A-310 of Airbus Industrie, the European consortium in which British Aerospace holds a 20 per cent stake.

Airlines have so far ordered 178 of the A-310s against a total of 136 for the 757.

British Airways, which has options to buy a further 18 of the new Boeing, and Eastern Air Lines of the United States which has 51 on order or at the option stage, are to take delivery of the first in January, next year.

The smallest customer so far for the new Boeing is Monarch, the United Kingdom charter airline and a sister company to the Cosmos holiday tour company, which has ordered three 757s with an option to buy at least one more.

Monarch is engaged in a \$130m (£68m) programme to replace its three Boeing 720s and 720Bs with 737 and 757 aircraft by 1984.

More than 3m jobless likely for two years

By Melvyn Westlake

Unemployment is likely to reach 3 million and remain well over that figure for the remainder of this Parliament, even if relatively rapid growth is engineered, according to James Caple, the City stockbroker, in his economic assessment, published today.

Despite the projected recovery in 1983-84, output will still be between 3 and 4 per cent below its 1979 level, by the end of 1983, and manufacturing output even after a strong per cent growth over the next two years, will still be between 10 and 11 per cent below its 1973 peak.

The Government will appear to have little to show for its policies unless the inflation rate can be squeezed down well into single figures.

The brokers expect some improvement in the level of wage settlements in the summer. Nevertheless, it is expected that the rise in average earnings in the next few years will be about 10 or 11 per cent, which together with productivity gains, makes single figure inflation a possibility in 1983.

The Government could improve on this picture by imposing excise duties in line with inflation, as is expected in the next Budget.

In that event, inflation might be brought down to 8

per cent by the fourth quarter of 1982. This would also provide a relative boost to real incomes compared with the Treasury forecast. Lower inflation might also encourage people to spend more of their savings than is expected.

Meanwhile Britain could be heading for a 16 per cent jobless level and the bottom of the EEC unemployment league table, the latest University of Cambridge economic policy review says.

The Community would have to create 9.5 million extra jobs to bring unemployment down to 5 per cent of its labour force by 1985.

This would require an average annual economic growth rate of about 5 per cent but would still leave unemployment at a high level compared with past standards.

If governments do nothing, however, and economic conditions in the next few years are the same as in 1979, the level of unemployment in the EEC could reach about 12 per cent of the workforce compared with about 8 per cent in 1981.

Such circumstances would hit Britain hardest, according to the Cambridge Department of Applied Economics analysis which looks at prospects and problems facing the EEC.

EEC steel price strategy 'at risk'

By Peter Hill, Industrial Editor

Crucial discussions on the future of the European steel industry's recovery programme are to be held later this week at an informal meeting of Community industry ministers in Luxembourg.

British and West German Ministers are expected to express their concern that member governments must adhere to the strict timetable laid down last year for the progressive elimination of all state aid to their steel industries by the end of 1985.

They will argue that unless the terms of the agreement are observed and enforced by the Commission, the entire strategy could be undermined.

British and German government worries derive from subsidies from the French, Belgian and Italian governments towards the end of last year made without consulting the Commission.

At the end of last month, the Commission formally approved payment of state aid totalling £700m by the three governments, but laid down strict conditions, including plant closures in the case of the Belgian steel industry.

The Belgian government has agreed to the closure of two mills in Charleroi and

two blast furnaces in Liege, in return for an aid package costing £139m to the loss-making Cockerill-Sambre group.

In return for emergency aid totalling £50m to the Usinor and Sidor companies, the French government has agreed to detailed discussions with the Commission before the end of March on a restructuring programme for the French industry. Similar tight conditions have been applied to further aid for Italy's Finisider company.

The tough approach adopted by the Commission may help to quieten some of the criticisms levelled by the British and German Governments.

This week's meeting will also provide Ministers with an opportunity to discuss the response of consumers to the first phase of a round of price increases, being coordinated by producers across the Community.

Although the Commission has managed to introduce a series of price and production controls to curb overcapacity on a range of steel products, it has so far failed to secure any voluntary agreement on controls on wire rod with the integrated producers unable to agree with independent steel producers on a formula.

Both dealers and the public helped the company to make the decision by taking part in surveys.

Samba will be among the country's most economical cars. Its 1124cc engine version can return 60 miles per gallon at a constant 56mph and 48.7mpg in urban driving.

Two other engines for the versatile and desperately needed small car addition to the Talbot fleet are available.

Talbot sticks to Samba

Talbot is keeping the name Samba for its new small car being launched in Britain next month.

The three-door front-wheel drive hatchback is already selling well under the name Samba on the Continent.

The company has had misgivings about using the name in Britain, but has now decided the name will be a big selling advantage.

Both dealers and the public

helped the company to make the decision by taking part in surveys.

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Both dealers and the public

□ The Spanish Seat car company is having talks with the West German Volkswagen company with a view to signing a cooperation agreement before June.

□ Delegates representing car unions at Ford plants in the United States have agreed to start talks with the company on a new labour contract.

THIS WEEK

TODAY: Retail sales figures for November (final).

TOMORROW: Hire purchase and other instalment credit, wholesale price index numbers (December provisional), personal sector account and industrial and commercial companies appropriation account (third quarter).

WEDNESDAY: Building societies' monthly figures (December), Central Govern-

ment transactions including borrowing requirement (December).

THURSDAY: Index of industrial production for Wales (third quarter), FRUAV: United Kingdom banks' assets and liabilities and the money stock (mid-December), London dollar and sterling certificates of deposit (mid-December), Useable steel production (December).

Threat to engineering

Chambers of Commerce in Birmingham and Coventry claim at least 49 small companies specializing component manufacture and light engineering have gone out of business in the Birmingham area in the last six months.

This, they say, reinforces growing fears of an erosion of the industrial structure of the West Midlands.

The death of the traditional small makers of components and support services for heavy industry will leave a gap when an upturn comes which will either leave the big companies short of vital components.

Chinese seek oil partners

Two Chinese officials are in Hongkong seeking foreign cooperation and investment in the new offshore oil exploration programme over the next few years.

Modern drilling and production platforms are needed and 10 existing offshore oil rigs must have their engines replaced.

Gibraltar economy 'threatened'

Rock residents fear reopening of frontier with Spain

From Alan McGregor in Gibraltar

Trepidation is evident in reaction here to the announcement that on April 20 Spain is reopening the land frontier, which, after two years of progressively increasing restrictions, was closed by General Franco in June 1969. It will inevitably mean important readjustments in the "island economy" that, with £30m development aid from Britain, has been built up in the 13 years during which the people of the last remaining colony in Europe have been denied land access to Spain at La Linea frontier.

In that time, the public sector has grown to constitute two-thirds of the economy, compared with about half before 1967. One of its mainstays, the naval dockyard, is to shut down in two years because of the efforts of the Joe Bassano, leader of the Gibraltar Transport and General Workers' Union, are close to the level in the United Kingdom and inflation here is lower.

Unemployment at four per cent contrasts with about 25 per cent in the adjacent Campo area of Spain, which formerly provided Gibraltar's foreign workers, to be replaced by Moroccans after 1982.

Mr Bassano said: "If we were exposed to the influx of the Gibraltar labour, there would be so many unemployed that the Government of Gibraltar

would go bust within 12 months in trying to maintain them." Both he and Sir Joshua Hassan, the Chief Minister, are confident, however, that this is unlikely, considering the strength of Gibraltar unions in the 11,500 workforce. But the picture could change again were Spain to be a full member of the European Economic Community.

In addition to trying to persuade the British Government to change its mind on the dockyard, which is considered unlikely, the possible commercialization of the dock for merchant shipping is envisaged, although competition from other Mediterranean yards with lower wages would be keen.

Tax advantages introduced in recent years have so far attracted a score or so of offshore banks and captive insurance companies, and company registrations have increased to 2,000.

"Just reopening the frontier will not solve our problem," Mr Samuel Attias, a leading businessman said: "We need the normal business done by all frontier firms, cross border trade with people on either side buying where they wish — the same as Ceuta (a Spanish enclave in Morocco) directly across the Strait, which is a free port." Gibraltarians have long been entrepreneurial traditions.

"I have absolute confidence if the frontier is

reopened normally." Mr Wilfred Garcia, president of the Chamber of Commerce, said: "We can make Gibraltar what it was before, a resilient, successful shopping centre with a great deal of tourism and, now, rather more than that. We need to build the necessary infrastructure for outside investment."

If when the frontier is reopened, the influx of curious and bargain hunting Spaniards is likely to be phenomenal. During Franco's regime relatively few Spaniards, apart from the commuting workers, had passports enabling them to visit Gibraltar freely.

Likewise, tourism will receive an enormous boost. Sir Joshua said: "There have been so many restrictions and so much said about Gibraltar over the years that in the eyes of many tourists we must be almost a unique museum piece."

After 1967, not even foreign tourists from Spain's nearby Costa del Sol were allowed to use La Linea.

Since then regular access by air has been confined to flights from the United Kingdom and Tangiers, making a trip here time consuming and costly for tourists from the Continent, obliged to stop overnight in London.

For the same reason, about three quarters of visitors from the United Kingdom have come from the London area, the south-west and the Midlands.

Stock Markets

FT Index 531.4
FT 100 62.24
FT All Share 310.09
Bargains 16,037

Sterling

\$1.9190
Index 91.8
New York: \$1.9040

Dollar

Index 107.3
DM 2.2530

Gold

\$400.50
New York: \$395.00

Money

3 mth sterling 15 1/4-15 1/2
3 mth Euro \$13 1/4-13 1/2
6 mth Euro \$14 1/4-14 1/2
(Friday's close)

Talk direct, C & W ordered

The Government is refusing to act as an intermediary in discussions between Cable & Wireless, and British Telecom over the interconnection of international communication networks.

Cable & Wireless, which in partnership with BP and Barclays Merchant Bank proposes to operate a rival domestic telecommunications system called Mercury primarily for the business community, has been told to negotiate directly with British Telecom.

BY THE FINANCIAL EDITOR

US anti-trust verdict will transform computer industry

January 8 is destined to go down as a red letter day in computer industry circles. Two anti-trust suits settled by the American government on that date promised to change the shape of the computer business the world over.

The news that the United States Justice Department had dropped its case against International Business Machines Corporation (IBM) thirteen years after it began was historic enough; combined with the announcement that it can also settle its suit against American Telephone and Telegraph Company (AT&T), it shook the industry.

The IBM decision will not have as great an impact as the AT&T one. Since the case was dismissed, IBM is free to continue operating as it has always done. The chief difference is likely to be a slightly more aggressive posture from the company now that it is released from the fear of anti-trust action.

But the AT&T settlement unleashes a new entrant into the computer industry that could potentially rival IBM and the Japanese. Although the telecommunications and computer industries have drawn much closer together in recent years, AT&T has not been able to expand into new businesses because of its regulated status as the supplier of telephone services to eighty per cent of the United States.

Now the company will be free to move into rapidly growing fields such as data processing, computer to computer communication and computer equipment, because it is divesting most of its regulated businesses. Under the settlement, AT&T must sell the 22 wholly-owned local telephone subsidiaries, worth \$80,000m, that account for two-thirds of its assets. While that means that the company will lose a main part of its business, it is hardly an object of pity.

The local telephone companies are the least profitable of its operations, accounting for about one third of net income of \$6,900m the year ended December 31, 1980. AT & T will keep its long distance telephone business, its manufacturing company, Western Electric, and Bell Laboratories, its research arm. They are the most profitable of its businesses now and also the most potential for growth.

"AT & T is getting to keep its good businesses and is getting rid of its less attractive operations," Mr Winston Himsforth, a telecommunications analyst at Lehman Brothers in New York, said. Just how AT & T will expand into new markets has yet to be determined by legislation from Congress or rulings from the Federal Communications Commission which has regulatory powers over the company. But few competitors doubt that the company has either the ability or the resources to make an impact.

AT&T has been readying itself for the move into new markets for some time. Bell Laboratories has a reputation for developing highly innovative products, although due to the company's relatively regulated status few of them have appeared on the market. In fact, at least one product is already waiting in the wings. AT&T indicated that it hoped to win government approval to launch a computer related product this spring.

Called Advanced Communication Service (ACS) it is a network that is supposed to allow distant computers to exchange information more cheaply than they can over telephone lines. Smaller companies that can already provide similar network have been worried over the prospect of competition with AT&T for some time, and companies who make electronic switchboards that can handle computerized data as well as speech are also concerned.

AT&T has not been allowed to add such data handling capabilities to its switchboards and has lost considerable business as a result. Now competitors fear that the company will regain many of its old customers at their expense.

"My initial gut reaction is that it could be horrible," said Mr Kenneth Oshman, president of the Rolm Corporation, which makes such switchboards,

"There has been nothing done to the monopoly. They have only taken the heartache out of the business." But perhaps the most significant impact of the settlement will be that it is likely to throw AT&T and IBM into competition for the first time.

IBM has already started to move into AT&T's territory with the switchboard that it sells in Europe. AT&T's prospective ACS network is undoubtedly a move into IBM's province.

As the companies continue to go after the same markets they are bound to begin to meet, and what happens when they do could have a significant effect on the industry as a whole.

Customers may benefit from some fierce competition. Some companies now in the market may find themselves submerged in the fall-out of a battle between two giants. Others, particularly companies in new markets, may find that the presence of two such powerful forces helps them by endorsing the types of products they are selling. But whatever happens, the emergence of AT&T and the unfettering of IBM will change the shape of the worldwide computer market for years to come.

Discount houses Changing times spell trouble

The disaster at Smith St Aubyn clearly owed more to bad judgment than bad luck. Yet the losses suffered there point up clearly a structural change which is taking place in the markets as a result of the change in monetary control. Although losses in gilts are nothing new (not discount houses still remember 1972 with a shudder) the new system makes it more difficult for the discount market to expect easy money from the workings of the system.

In part this is clearly deliberate. There has been considerable tension between the Treasury and the Bank of England in recent years about the relative ease with which the discount houses made money. That was one of the contributory factors leading to the change in regime.

Discount houses lose money when interest rates rise because they are effectively jobbers as well as brokers. They do not merely buy and sell bills on behalf of others. They also take positions in the hope of making a profit. With a fixed Minimum Lending Rate and infrequent changes in interest rates, that is a reasonably easy thing to do. The authorities fund their debt by moving interest rates up to a peak and then allowing them to fall steadily. The prospect of a drop in interest rates holds out the hope of a gain in the capital value of fixed interest stock.

The Bank no longer specifies what the interest rate band which it is aiming for is. Interest rates can and do change more often and, at least in the short term, in a fairly random way.

If the risks of loss are greater, the potential for profit is less. Dealing in huge quantities of Government bills now yields very small returns. It is perhaps understandable that those aiming to achieve profits on their previous scale in a new harsher environment should take greater risks. The fact that some of the risks are now being borne by the private sector is in a way a vindication of the new system of monetary control. It may induce a greater sense of caution on other operators.

Yet there are grounds for concern in the present situation. The discount houses are under pressure to increase their profits to maintain the real value of their equity. Yet trying to do this in the present market goes right against the grain of Government policy which is chipping away at those profits. It is hard to avoid the conclusion that the role of the discount house sector will decline in the years to come rather than survive. But ruthless control over costs will have to be allied to sensible activities in the market if they are to do so.



The good old days when Jack Gill (left) and Lord Grade (right) worked closely at Associated Communications Corporation.

Contracts and golden handshakes

Paul Maimment

The City's powerful institutional shareholders are taking an increasingly hard look at the contracts of service executives, both as they walk into the boardroom and as they either leave or are kicked out.

The case of Mr Jack Gill's controversial £750,000 "golden handshake" package has sharply focused the institutions' attention on what has become a contentious and emotive issue. It has also underlined the institutions' increasing awareness of their self-appointed policing role on behalf of fellow minority shareholders.

There is a danger that the Gill case, which has attracted so much attention, because in part its handshake glitters so much more spectacularly than any seen before in this country, will be taken as a warning.

It is not. Pension fund managers are quick to say that the underlying issue at stake here is that of Associated Communications Corporation's non-voting shares, the only ones traded in the stock market and the way in which they prevent most shareholders having an effective say in the way the company is run.

Indeed, many institutions have not invested in ACC for that reason. Furthermore, an argument can be made that the Gill case is being used as a means to exert greater influence over Lord Grade's handling of the company by testing the resilience of the non-voting share barricades.

Nonetheless, there is a growing body of opinion within institutions that while the misuse of service contracts, or to put it more bluntly plain greed, are relatively few, there is a need to tighten up on the loopholes that exist.

Wearing their minority shareholder's hat, they also believe there is a need more vigorously to monitor the provisions of service contracts that are written, particularly where they relate to fringe benefits such as property. Some directors have been able to benefit from very substantial capital appreciation in recent years. Undoubtedly, some institutions' investment directors would like to see service contracts scrapped altogether. "They are one-way bullets that operate against the company," says the director of one of the country's leading pension funds.

However, it is not very likely that service contracts will disappear, certainly not while executive directors have the twin responsibilities of being both an executive and a director with at times conflicting interests.

Indeed, most institutions think it is reasonable that there should be contracts and expect that companies in trouble will have to offer generous terms if they are to attract highly-rated executives to a risky job with an uncertain future.

The question is: what is a reasonable contract? Under the 1980 Companies Act, a service contract for up to five years duration can be awarded at the board of directors' pleasure. Longer than that requires shareholders' approval.

Many institutional fund managers would like to see that five years restriction reduced to three. They say there seems no reason why a service contract should outlive the employee's term as a director, which has to be confirmed by a shareholders' election usually every three years.

Over and above taxation considerations, there are no

restrictions on the terms of a service contract. Compensation for breaking such a contract, the golden handshake — is a different matter.

The law provides that shareholders must give their approval if a settlement exceeds the bona fide damages that a court would award for breach of contract. Since the last Budget, the difference between ex gratia and compensation payments has been scrapped, largely to clarify the taxation position.

In most circumstances, the size of a golden handshake is worked out against the yardstick of what sort of court award would be made. The differences that arise from the individual circumstances of each case make it impractical to impose an arbitrary limit on golden handshakes, such as the £75,000 restriction proposed by Mr Anthony Beaumont-Dark, the Conservative MP.

Recently, there have been several golden handshakes of more than £75,000 which attracted little criticism. Mr John Read, who resigned as joint chief executive of Unigate after policy differences with his colleagues, received £150,000. Mr Eric Sosnow received £125,000 after standing down as chairman of United City Merchants which was taken over by the Arab Bank.

There have been golden handshakes other than Jack Gill's which have raised eyebrows. For example, Admiral Sir John Treacher, who headed the group for 36 days before the group decided to sell out to Trident Television, lost its gaming licences, is expected to collect £400,000, which would make him the highest-

paid short-term executive in Britain.

Formal legislation is not favoured by most institutional fund managers, who believe there are sufficient weapons available to diligent shareholders, and that extra steps would only tie everyone in unnecessary knots without necessarily binding the hands of the greedy. "It would be like taking a sledgehammer to crack a nut," one fund manager said.

The details of service contracts have to be made available on request to shareholders, and that gives them power to instigate general meetings if they do not like what they see.

This is what has happened in the Jack Gill case.

This does not point up the need for fresh legislation, but does demonstrate the need for shareholders to take advantage of the weapons available to them and the need for rugged non-executive directors. Mr Andrew Hutchinson, head of research at the Institute of Directors, says:

"The policing (of the board on behalf of other minority shareholders) is a role that ought to be taken up by institutional shareholders," he adds. A fund manager of one of the country's leading insurance companies agrees: "It is up to the institutions to ensure that golden handshakes remain reasonable."

"Institutions must have regular contacts with the companies they invest in, and their contacts with merchant banks mean they get tipped the wink on matters not generally heard about."

The Institute of Directors believes that executive directors' remuneration should be the concern of a company's non-executive directors. This is one reason why it would

like companies to be required by law to have at least two non-executive directors.

Creating non-executive directors committees which would fix service contracts would help remove the complaint that most service contracts are directly approved by those whom they benefit.

It would also help remove a complaint about directors of takeover candidates falling prey to the temptation of writing themselves service contracts once a bid comes.

An approach favoured by the investment director of one nationalised industry's pension fund is to use taxation to deal with what he calls obscene settlements.

At present, the first £25,000 of a golden handshake is tax free and the remainder is taxed at a maximum of 30 per cent of current rates under special tax reliefs known as top slicing. Penal rates could easily be introduced to debase golden handshakes, this investment director thinks.

Another tax change which could undermine the need for golden handshakes would be to change the laws relating to executives taking an equity stake in their company. Mr Hutchinson believes that service contracts are a substitute for capital in the eyes of many company directors and they are being penalized for their risk-taking.

Many shareholders might well prefer to see directors taken from grace walking away with known quantities of their company's paper rather than with haggled over amounts of their company's possibly shrinking profits, which in turn could be shaving their dividends. In addition, they would be more likely to shout "fool" earlier, at that is what they felt.



How Reagan's sanctions force Europe's hand

President Reagan's economic sanctions against the Soviet Union for its supposed involvement in the military take-over in Poland have begun to bite. But the first casualties are industrial companies and work forces in western Europe rather than the oppressor in the Soviet bloc.

At the weekend, the General Electric Company of the United States confirmed that it could no longer fulfil a \$175m contract to supply the European companies with turbine components. The parts — rotors, turbine blades and nozzles — had been ordered by John Brown of Britain, AEG-Telefunken of West Germany and Nuovo Pignone of Italy for use on compressors for the gas pipeline along the controversial 3,400-mile pipeline that is due to bring natural gas from northern Siberia to Western Europe from 1984.

By the simple device of reclassifying the products to require a type of export licence that is no longer being issued, the United States Commerce Department has made President Reagan's sanctions order retroactive.

Because no other western company can match the General Electric components, the United States administration has at best delayed and could even have put at risk the largest ever East-West trade deal.

At a minimal cost to American industry, it has taken a swipe at a venture that has long been a thorn in its flesh but which held out the promise of jobs in Britain, West Germany, France and Italy from large Soviet industrial orders already worth more than £2,300m.

President Reagan's advisers have been skrewed in attacking a project that has been the subject of considerable controversy in western Europe. The plan to supply Europe, the gas to supply West Germany, France, Italy and four smaller countries with a total of 40,000 million cubic metres of gas a year for 25 years inevitably raised the prospect of western Europe becoming too dependent on Soviet energy supplies.

Also disturbing was the prospect of the Soviet Union increasing its income from gas sales to the West to £5,000m a year at today's prices.

Because of events in Poland, the Italian government announced before the New Year that it was postponing negotiations on a new long-term grain agreement, the administration has already allowed the delivery of 23 million tons of grain to the Soviet Union this year.

It has been suggested that a grain embargo should be imposed if conditions in Poland deteriorate, but the US Department of Agriculture has been actively reassuring the Polish farmers since the Polish military takeover that they will not lose the lucrative Soviet market.

What, therefore, are the Europeans to make of the American sanctions policy? Is it a deliberate move to scotch European industries' export opportunities while the midwest farmers continue to make hay? Or is the apparent inconsistency between the approach to sanctions on industrial and agricultural products just another instance of an administration rooted in middle America and on the West Coast picking up the blunt instrument in response to domestic pressure without thinking of the impact of the European allies?

There is probably some truth in both these views. But the Reagan Administration has been consistent since taking office in seeking a thorough rethink about exports of western technology to communist countries. Its concern was manifested at the Ottawa summit last summer and will be taken up later this month.

While West European countries may agree that economic sanctions do not work, the argument that trade with the communists furthered détente is, after Angola, Afghanistan and Poland, scarcely credible.

Since Lenin's day, it has been Moscow's policy to exploit economic relations with capitalist countries for the Soviet Union's geopolitical ends. Perhaps the time has come for the United States and its European allies to look beyond immediate issues such as the pipeline deal or grain exports and work out for the first time a coherent policy on East-West trade.

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Peter Norman

Business Diary Profile: Hans Friderichs' Pole Star

This should have been a happy new year for Dr Friderichs. If all had gone according to plan, the chief executive of the Dresdner Bank would have been looking back on a remarkable episode, unique in banking history.

On December 29 the agreement rescheduling \$2,400m of Polish debt due in 1981 was to have been signed in the bank's Frankfurt headquarters.

The Dresdner Bank, as head of the international task force in charge of negotiating with the Poles, would have been able to reflect with pride on the remarkable achievement of keeping 500 or so banks from around the world from declaring Poland in default through months of arduous negotiation.

For Friderichs it would have been confirmation that a bold career switch had finally paid off after four years' hard slog.

But the military takeover in Warsaw and Poland's failure to pay \$350m in back interest and principle, set as a condition for signing the agreement, have left the Dresdner Bank, together with Poland's other commercial bank creditors, with no choice but to wait and hope.

It was in September 1977 that Hans Friderichs astonished Bonn by announcing that he was resigning as Federal Economics Minister to become first a member of the

Dresdner Bank board and from May 1978 its chairman.

At the time of the announcement, Friderichs was still only 45 and seemed to have a long political future. Since he had been appointed Economics Minister in 1972 as a comparative unknown, the Free Democrat politician had become one of the best-known faces in the ruling coalition. He was a frequent and fluent performer at news conferences and on television.

His sudden decision to leave politics in the midst of the crisis following the kidnapping of the employers' leader Herr Hanns-Martin Schleyer seemed to many an act of desertion.

His arrival at the Dresdner Bank was not without problems. Friderichs was appointed to replace one of the most impressive bankers to have emerged in Germany during the 1970s. Jurgen Ponto, who was gunned down by terrorists, had made the bank a national and international force.

As Germany's second largest bank, the Dresdner under Ponto shed the rather uneven reputation it had acquired in the early postwar years. Ponto gave the bank an aura of patrician solidity that was enhanced by his patronage of the arts and his position as a close adviser to West Germany's Chancellor, Helmut Schmidt.

But the Ponto era also laid

the seeds of some of the problems which have plagued Friderichs in his four years in Frankfurt.

In the 1970s the Dresdner Bank developed its business with the Eastern bloc, establishing a particularly close relationship to Poland and the Bank Handlowy in Warsaw. Ponto took responsibility for putting the ailing AEG-Telefunken group back on its feet — an exercise that is still costing the Dresdner Bank and the German bank-

ing industry millions of marks a year.

Friderichs, then a newcomer to banking, took over at a time when the German banking industry was awash with cash. Interest rates were low and all signals pointed to expansion.

Today after two years of tight money policy, the Dresdner Bank, like Commerzbank and Westdeutsche Landesbank, is having to pay dearly for lending long at low-interest rates without

securing adequate refinancing.

As a newcomer to banking, it was difficult for Friderichs to secure the respect and loyalty of a board which had tended in the past to resemble a bunch of barons rather than a team, and in which individual ambition had re-emerged after the abrupt removal of Ponto's leadership.

But the slender six-footer with the disarmingly mild brown eyes is tougher than he looks. His hobbies — long-distance cycling and cross-country skiing — point to a man with a capacity for endurance.

After four years he is still at the top of the Dresdner Bank but several members of the managing board have gone. Last year Friderichs pushed through an internal reorganization of the bank that should give the board fuller control over the activities of the entire group and a better oversight over the growing risks in banking.

Friderichs' political background and instincts will still be invaluable, if only because the problem of the Polish debt is bound to be around for years to come. But with the bank likely to announce a cut in its dividend for a second year running in the spring, Hans Friderichs has got to show that he can make money as well as talk about it.



An uphill ride ahead in 1982 for a free-wheeling banker: Hans Friderichs, chief executive of the Dresdner Bank

Ross Davies

Football

The wintry waste of England's ambitions

By Simon Jones

Football Correspondent

England are now in danger of being left out of the World Cup. With every snow-fall, the chances of the FA Cup Final being played in the winter of 1982 are reduced. The FA Cup Final is the only football match in the world which is not held in the summer.

After a meeting between the Football Association and the Football League in London yesterday, Graham Taylor, the League secretary, said that it was unlikely that the season will be extended beyond the FA Cup Final on May 22 and that, if another Saturday is lost to bad weather, the situation will become critical. The points panel were called in for the fifth successive Saturday when only eight league games survived and a total of 133 have been called off.

There have been empty winters. The worst was in 1963 when, on January 5, only three of the 41 scheduled games took place. But this season is the hardest hit of all those in the World Cup year. As Mr Kelly pointed out, England's representatives are more than likely to be involved in cup competitions, both domestic and European, as well as the home internationals.

The most poignant comment on England's problems is illustrated by the position at Tottenham Hotspur. Artilles and possibly Villa will be summoned by Cesar Menotti, the Argentine manager, on April 1, ten weeks be-

fore the start of the World Cup competition. That is how long he feels he needs to prepare the holders to defend the trophy.

Spurs, though, are still in the first division. As among the top seven in the first division, Hoddle, included in England's last squad against Hungary, may not finish his domestic duties until the end of May if Tottenham continue their run of success and reach either the final of the FA Cup, for which they are holders, or the European Cup Winners' Cup or the heights in the championship.

All of today's games have already been postponed and the weather forecasters expect the freeze to continue at least until the end of the week. If so, clubs could soon be forced to play three or even four matches a week in order to complete their programme. As so often in the past, it is stamina and fitness rather than ability which will be rewarded.

When Mr Greenwood is finally able to collect his pool of players, most will be weary after a series of important club matches. Jack Stein and Billy Bingham, too, will have little time in which to lift their troops, sentenced as they are to several months of concentrated hard labour.

The night of November 18 may have brought some much needed warmth to the British horizon but it is needed even more so now. Yet when the players arrive, so will the water, the mud and further postponements. Whatever happens in the uncertainty of the coming weeks, it is already safe to say that the World Cup preparations within these snowbound islands will be far from ideal.

Forest win fails to hide the cracks

By Gerald Richmond

Nottingham F.C. Birmingham C.I.

Nottingham Forest's first

league victory at the City Ground

since October was born out of

two friendly matches played

earlier in the week and their FA

Cup defeat by Wrexham. Luton

Town and Leicester City obliged

Peter Taylor, who is looking after

affairs while Brian Clough recovers

from his recent operation, by

providing friendly opposition and

a consequently sharper Forest

moved back to the fringe of the

championship battle.

Birmingham City, for their

part, are dangerously close to the

bottom of the table, although they

could easily have taken at least

a point in a late revival which

followed a goal devastatingly

volleyed in by Worthington.

That last phase worried Mr

Taylor. We had dominated the

game with good quality foot-

ball," he said, "but went to

places as soon as Birmingham

scored. I did not see them go

to a goal. We were not in a

position to score. I cannot see why. Having

established a good position, we did

not go in for the kill. It is

another way of saying that the

present Forest team lacks the

certainty of touch and the

rhythm of the side which won

the championship, the League Cup

twice, and the European Cup

twice. Saturday's game was generally

considered to be reasonable en-

tertainment despite the condi-

tions. The pitch was hard and

in places, slippery and with

neither Mr Taylor, an advocate of

winter football, nor Birmingham

manager Jim Smith believed that

it was fit for a first division

match.

Although Forest were consistently

on top in the first half, during

which Wallace hit the foot of the

post, the clearest chance came

immediately before half time. Dillon

was played in by Worthington

but found a wall. In the second

half, the shittier conditions pre-

sented a formidable barrier in such situations.

It was difficult to see Forest's

lightweight attack through until they did so twice

in eight minutes.

First Ward collected a pass

from McGovern and with

Gomelli, who did well in his

emergency role as left

back, caught out Birmingham

scoring off a post after 61 minutes.

Then, after a neat exchange

of passes with Anderson, Proctor

delivered a good cross which

Wallace headed in. The goal was

the last of the game. That should

have been the end but an exciting

comeback by Forest, who were

quarantined by the length of the

pitch, caused confusion in the

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N Zealand earn the final place

Singapore, Jan 10.—New Zealand

today claimed the last place

in the 1982 World Cup Finals

in Singapore when they beat

China 2-1 in the Asia-Oceania

play-off. New Zealand will

compete in the finals for

the first time after missing

out for the first time after

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Fox, Evans and Doyle of Stoke are beaten by a cross.

City get no reward for playing

By Nicholas Harting

Manchester City 2 Stoke City 1

There must be times when

Manchester City feel like crying

out their 240,000 under-soil

heating system. Being the only

club in the country not to have lost

a game to the weather (not even

away from home, their two visits

to the frozen north, being to

Gateshead and Liverpool who have

installations of their own) does

not necessarily mean it is all

advantageous.

Having played more games than

any other club in the first divi-

sion, City might now have reason-

Crust	Fair	Fair	4
Heavy	Good	Snow	3
Heavy	Good	Cloud	-1
Varied	Good	Fine	-4

representatives of the Ski Club of

... .. 10 to upper slopes.

